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## **Activities of Non-Governmental Organizations in Polish Courts that Do Not Include Involvement in Proceedings**

**Abstract:** Non-Governmental Organisations in Poland show a wide interest in the justice system. Their actions are not limited to litigation. The paper outlines a typology of activities performed by NGOs in courts or closely related to courts other than taking part in court or executive proceedings. Two main types of actions are studied: monitoring and assistance provided to the clients of the justice system. Polish examples include monitoring performed with the use of observation and other methods of information gathering such as a comprehensive program of citizen court monitoring, in which since 2010 more than 2,000 observers took part voluntarily. In the field of legal aid, NGOs run a few hundred centres where legal advice is provided free of charge.

**Keywords:** non-governmental organizations, social organizations, transparency, court watchdogs, research, legal aid

Direct participation of non-governmental organizations in litigation is only one method of possible cooperation between them and the justice system. The article discusses types and examples of activities undertaken by social organizations in courts excluding their participation in the proceedings themselves. A source of information is both desk research and free-form interviews with the organizations' representatives. Non-governmental organizations is a collective term describing legal entities which do not belong to the sector of public finance and do not operate for profit. Their most common forms are associations and foundations. These are entities which have been appointed by private individuals to fulfil concrete statutory objectives. Their domain are charitable operations. Although they are non-profit organizations, they may carry out ancillary activity of a business profile. There are app. 100,000 associations and foundations registered in Poland. They mainly deal with sports and tourism, culture, education and charity operations. They also include organizations whose aim is to control and monitor authorities' operations, observe civil rights and freedoms and improve public administration's operation.

A non-governmental organization may be a party to litigation, e.g., it may bring a lawsuit on behalf of a natural person, join the proceedings as a litigation friend of one of the parties thereto, or submit an opinion of a friend of the court (Latin *amicus curiae*). Such actions may be motivated by the willingness to help a vulnerable person or evoke some system change (strategic litigation)<sup>1</sup>. These organizations may also take part in the enforcement of criminal judgments: exercising probation of the convicted offender<sup>2</sup> or hiring him or her to perform unpaid controlled work for social purposes<sup>3</sup>. Since all activities pursued by these organizations in the system of justice cannot be discussed here, I will refer herein only to types and examples of activities carried out without the organizations' formal engagement in litigation.

## 1. Research of courts

A pursuit of research is one of the objectives of charitable operations mentioned in the Act of 24 April 2003 on Charitable and Voluntary Activity. Many organizations carry out research of the law and administration of justice. I will refer here only to examples of research concerning directly work performed by the courts. The organizations generally apply three methods of collecting data within this scope. The first one is observation, which is mainly applied with regard to monitoring work of the courts or concrete cases. The second is the analysis of court files and other official data. The third – research using personal sources: interviews or surveys whose respondents may be both practitioners of justice and its “users”, that is litigants, attorneys, witnesses and other interested parties.

Monitoring is a term used by social organizations to describe a planned and systematized study of a selected fragment of social reality following the adopted scheme; at the same time, monitoring is an element of actions aimed at changing this reality without the use of violence<sup>4</sup>. A systematic controlling activity is called as “watchman” or watchdog activity (from the English word *watchdog*). Its purpose is most often to monitor the observance of the law as well as quality of work performed by the administration including courts in order to ensure better fulfilment of civil rights and interests. It happens that monitoring is particularly focused on the exercise of rights or interests of a specific group of entities (in principle the disabled, victims of domestic violence or children).

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1 See: Ł. Bojarski, D. Pudzianowska, J. Jagura, *Niedyskryminacja w praktyce sędziowskiej – projekty organizacji obywatelskich*, “Krajowa Rada Sądownictwa” 2016, No. 3, p. 34 et seq.

2 The organization may be entrusted with probation in the following cases: conditionally suspended deprivation of liberty (under Art. 71 § 1 of the Criminal Code), parole (Art. 159 § 1 of the CC), conditional discontinuation of criminal proceedings (Art. 67 § 2 of the CC), if the perpetrator convicted of an offence committed due to alcohol or drug addiction has to undertake ambulatory treatment or rehabilitation in a health care rehabilitation centre (Art. 97 § 1 of the CC)

3 Under Art. 56 § 3 of the Executive Criminal Code.

4 M. Nowicki, Z. Fialova, *Monitoring praw człowieka*, Warszawa 2004, p. 13.

The most commonly used method of monitoring the administration of justice is observation. Observation of court hearings is a practical and organized fulfilment of the right to a public trial. It ensues both from the Polish Constitution (Art. 45) and the European Convention on Human Rights (Art. 6). It is further confirmed by the entries included in the Acts: on the Organizational Structure of Common Courts (Art. 42), Code of Civil Procedure (Art. 148) and Code of Criminal Procedure (Art. 355). A public nature of proceedings may imply the fulfilment of the constitutional principle of supreme power of a nation over the judiciary<sup>5</sup>. Transparency of proceedings is a manifestation of social control over the operations of procedural bodies to enhance their work<sup>6</sup>.

However, the function of monitoring courts and litigation exceeds the objective of control. Ł. Bojarski lists eight reasons why social organizations send their observers to courts and court rooms:

1. to enhance transparency in the exercise of power (to judge);
2. to collect information and data on the selected subject;
3. to raise social awareness and evoke public debate on the selected subject;
4. to document court practice in comparison to the provisions of law;
5. to formulate proposals of changes in the practice and law;
6. to affect court culture;
7. to document possible violations of standards of a fair trial;
8. to guarantee a fair trial in a specific case<sup>7</sup>.

Office for Democratic Institutions and Human Rights of ODIHR distinguishes three types of monitoring in its manual of trial monitoring: systemic, thematic and *ad hoc*<sup>8</sup>. Systemic monitoring is the term used for a long-term, wide-ranging trial-monitoring programme aimed at assessing parts of the justice system in order to support the system of justice reform. Thematic monitoring focuses on an in-depth analysis of a specific area of the administration of justice. The last type involves monitoring of individual usually high-profile cases or a group of such cases, often connected with a specific event or scandal.

Nevertheless, further differentiation thereof should be introduced here, i.e. into monitoring of proceedings and monitoring of courts. The first one involves necessary tracking of the case from its beginning to end. A subject of the analysis is the case while a priority purpose of observation is the evaluation of the observance of law by courts and procedural bodies. As far as monitoring of courts is concerned, a sub-

5 W. Jasiński, *Bezstronność sądu i jej gwarancje w polskim procesie karnym*, Warszawa 2009, p. 375.

6 R.A. Stefański, (in:) J. Bratoszewski, Z. Gostyński, L. Gardocki, S.M. Przyjemski, R.A. Stefański, S. Zablocki, *Kodeks postępowania karnego. T. 2. Komentarz*, Warszawa 1998.

7 Ł. Bojarski, *Obserwacja procesów sądowych – obserwacja ogólna – obserwacja specjalistyczna*, [http://www.in-pris.pl/fi\\_leadadmin/user\\_upload/documents/Biblioteka\\_MWS/201\\_obserwacja\\_procesow-opis\\_metody\\_LB.doc](http://www.in-pris.pl/fi_leadadmin/user_upload/documents/Biblioteka_MWS/201_obserwacja_procesow-opis_metody_LB.doc) (20.10.2016).

8 *Trial Monitoring: A Reference Manual for Practitioners (Revised edition 2012)*, Organization for Security and Co-operation in Europe (OSCE), Warszawa 2012.

ject of the analysis may be individual sessions, court departments or entire courts. A comprehensive experience of the interested party with the court is at a centre of interest here, that is a manner of treatment, language comprehensibility, equal treatment – from a subjective perspective too – and a perceived possibility of exercising one's rights before the court in practice.

### **1.1. A court watch research method**

A court watch method is specific due to its "unprofessional" civic nature, i.e. observers do not have to be lawyers while a formal part of the trial is not subject to evaluation. The first study similar to this method was conducted in Poland in 2004-2008 by Helsinki Foundation for Human Rights and was called "Monitoring of Commercial Courts in Poland – Courtwatch". Maria Ejchart and Adam Bodnar describe its assumptions in the following way: "[W]e visited all commercial courts in Poland observing court buildings, courtrooms and proceedings themselves as well as work performed by judges, attorneys and court staff. Thus we were not interested in concrete hearings, nor did we research substantive legitimacy of court judgments. We only observed how judges conduct hearings, how they organize their work, and how the court functions on everyday basis fulfilling its routine work. We were checking how individual courts and judges provide their clients with a possibility of exercising the right to a fair trial"<sup>9</sup>.

Helsinki Foundation published a report on the last cycle of its monitoring in 2009. "The report on the implementation of the programme of Monitoring of Commercial Courts – Courtwatch" contains conclusions from observations carried out by 25 observers in 104 commercial divisions of district and regional courts. They concern both commercial procedure and problems of commercial divisions' functioning as well as technical problems encountered by the courts visited by the observers.

Insofar as Helsinki Foundation for Human Rights brought the court watch method to Poland, it was popularized by another organization. A year after the programme of court observation by volunteers of Helsinki Foundation was finished, Court Watch Poland Foundation launched their activity. According to its objectives, it was appointed to disseminate and popularize knowledge about the right to a public trial and attract interest of as many citizens as possible to social control of the judiciary.

Court Watch Poland Foundation does not control accuracy of court judgments. Its purpose is to reconstruct the perspective of the actual experience of an ordinary citizen who has found himself or herself in court for the first time and then changing the practice of courts in such a way as to build trust in the judiciary through contact with the court. The Foundation applies and improves a court watch method follow-

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9 A. Bodnar, M. Ejchart, Raport z realizacji programu Monitoring sądów gospodarczych – Courtwatch, Warszawa 2009, p. 107.

ing the methodology of social sciences. Its observers are not professional lawyers. They take part in hearings as audience and fill in a form (observation sheet) containing questions about the course of hearing. They also fill in a form with questions about their interaction with the court building and court staff. Quantitative and qualitative data collected this way are annually analyzed and presented to the courts and public opinion.

During six years since it was established (2010), Court Watch Poland Foundation has collected over 35,000 observations from over 2200 volunteers. Although samples are not randomly but merely accidentally selected, the amount of data collected in over 280 common and administrative courts allows to draw far-reaching conclusions about the courts' functioning and problems which contribute to forging negative opinions on the Polish administration of justice. Each year it appears that half of the sessions participated by the observers commences unpunctually. In a few percent of observations volunteers noticed aggressive or impolite conduct of judges. These values do not change radically in time. On the other hand, an explicit change has been noticed in criminal divisions, where traditionally prosecutors had a wider access to a courtroom than other individuals. They entered the courtroom before being summoned and they stayed there during the breaks and after hearing, which, in the Foundation's opinion, could create an impression of the privileged position of the prosecution in a trial and undermine trust to court's impartiality. A percentage of observations in criminal divisions where the above occurred decreased from 22% in 2011 to 11% in 2016<sup>10</sup>. The change is even bigger in case of courts where the Foundation carried out regular and intensive monitoring. A percentage of alarming observations declined from 28% to 8%<sup>11</sup>.

## 1.2. Examples of thematic monitoring

Studies conducted by social organizations very often focus on a specific type of cases selected due to the subject matter a given organization deals with. Authors of thematic monitoring use observation of entire trials as one of the methods. This is often supplemented by file reviews, interviews, analyses of judgments' reasoning and statistical data, including data received by the organization from the courts in the course of access to public information which have been specially processed for this purpose.

For instance, Mr Cat's Black Sheep Foundation in partnership with Wrocław Association of Animals Protection EKOSTRAŻ implemented the project "Let them have their rights!" from October 2014 to March 2016. An important element thereof was monitoring of the judiciary within the scope of applying the provisions of the

10 B. Piliński, Wyniki obserwacji rozpraw i posiedzeń, (in:) B. Piliński, S. Burdziej (ed.), *Obywatelski Monitoring Sądów 2015/2016*, Toruń 2016, p. 50.

11 B. Piliński, S. Burdziej, *Polskie sądy z perspektywy obywateli – podsumowanie pięciu lat programu „Obywatelski Monitoring Sądów”*, "Krajowa Rada Sądownictwa" 2015, No. 4, p. 23.

Act on Animal Rights' Protection. The study embraced 146 randomly selected district courts all over Poland. Requests for public information filed with the courts contained a demand to make publicly available all legally valid and binding judgments regarding offences and misdemeanours under the Act on Animal Rights' Protection which were passed in 2012-2014. Received judgments were analyzed with regard to selected categories including, among others, a legal classification of the act, the perpetrator's sex, or what animal the offence or settlement reached in the case concern<sup>12</sup>. What is more, the Foundation's observers took part in selected court hearings and sessions in cases involving offences against animals. Additionally, the Internet survey for representatives of organizations for animal protection and private individuals was carried out conceding their experiences connected with the operation of law enforcement agencies and common courts<sup>13</sup>.

Positive Changes Foundation carried out monitoring of district courts within the territory of Silesia Province with regard to court judgments passed under Art. 207 of the Criminal Code (i.e. family violence or abuse) in 2012-2014. Monitoring was carried out in two directions: 1) district courts were sent requests for public information regarding a wide range of their work including violence against women; 2) the Foundation's volunteers took part in hearings as audience. The report was published on the basis of collected data<sup>14</sup>. Moreover, the Foundation publishes information about scheduled sessions in cases regarding Art. 207 of the CC conducted in the District Court in Bielsko-Biała on the Foundation's website, and observes selected cases. At the same time, Positive Changes Foundation gives legal advice to victims of violence and takes part in some cases as a community representative.

In order to study stereotypes about women in proceedings involving domestic violence, the Centre of Women Rights seated in Warsaw carried out research by analyzing judgments and their reasoning, observing hearings, interviewing and analyzing case files. The interviews were conducted with women who were victims of violence and sought justice in the court; court judgments and experts' opinions were also analyzed while the Centre's observers monitored court hearings within the territory of Mazovia Province. They took part in 123 hearings in the following district courts: in Warsaw, Grodzisk Mazowiecki, Pruszków, Piaseczno, Nowy Dwór Mazowiecki, Żyrardów, Skierniewicz, Węgrów, Garwolin, Otwock and Wołomin. The study commenced in 2012 while the report thereon was published in 2016<sup>15</sup>.

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12 D. Karaś, *Jak Polacy zنعąją się nad zwierzętami? Raport z monitoringu sądów, prokuratur i policji*, Kraków – Wrocław 2016, p. 35 et seq., <http://czarnaowca.org/wp-content/uploads/2016/03/CzarnaOwca-NMP-RAPORT-1.pdf> (09.11.2016).

13 *Ibidem*, p. 9.

14 A. Kula, A. Chęć, M. Wiczorek, R. Szczepańska, *Art. 207 k.k. – zنعanie się nad osobą najbliższą – monitoring śląskich sądów*, Bielsko-Biała 2015, [http://www.pozytywnezmiany.org/assets/multimedia/dokumenty/raport\\_art207kk.pdf](http://www.pozytywnezmiany.org/assets/multimedia/dokumenty/raport_art207kk.pdf) (09.11.2016).

15 A. Dominiczak, U. Nowakowska, K. Sękowska-Kozłowska, *Temida pod lupą. Stereotypy w sądzie w sprawach dotyczących przemocy wobec kobiet*, Warszawa 2016.

### 1.3. Methods of research other than observation of hearings

Social organizations carry out thematic monitoring not using the method of observation. Thus they are based solely on desk research or data collected by requesting access to public information. The example thereof may be the research carried out by Bona Fides Association from Katowice whose purpose was to check websites of Public Information Bulletins of courts and prosecutor's offices in Silesia Province with regard to their content and compliance with the law, and evaluate their transparency and functionality<sup>16</sup>.

The main source of information in the research of non-governmental organizations can also be interviews or surveys conducted with participants of proceedings or court staff. Court Watch Poland Foundation attempted to carry out research, headed by Dr Stanisław Burdziej of the Institute of Sociology of the Nicolaus Copernicus University in cooperation with Denver University in Colorado and with the help of scientists from the Institute of Sociology of the Jagiellonian University, accompanying the change of criminal procedure in 2015. Its purpose was to check if the change of the inquisitorial model into adversarial would improve a sense of procedural justice experienced by the defendants. As part of the research, over 100 interviews were conducted with convicted offenders in proceedings held according to the inquisitorial model. A prompt amendment of the procedure restoring the inquisitorial model prevented verification of the main thesis about a positive impact of adversarial proceedings on a sense of justice experienced by the defendants. Nevertheless, the research allowed to verify the hypothesis according to which convicted offenders correlate legitimization of judicial power with the perceived level of procedural justice of court proceedings they took part in<sup>17</sup>. Precise results of the research will be published.

A research project called "Monitoring of occupational stress in courts and its health implications" implemented by Association of Healthy Work focused on working conditions of common courts employees. The research respondents were not only judges but office workers and assistants. The psychological test method was used therein while data were collected from the Internet survey filled in by the respondents themselves. An overwhelming number of surveys was collected – 1890. Unfortunately, the research may evoke several methodological objections, among others failure to maintain appropriate conditions to carry out psychological tests, lack of certainty as to the actual identity of respondents (the survey was publicly available in the Internet and the link was also published in mass media), which implies a lack of certainty as to the sample representativeness for the researched publication. Despite

16 S. Tkacz, G. Wójkowski, Biuletyn Informacji Publicznej Sądów i Prokuratur w Województwie Śląskim, Katowice 2011, [http://www.bonafides.pl/wp-content/uploads/2016/08/raport-bip\\_sadow\\_i\\_prokuratur.pdf](http://www.bonafides.pl/wp-content/uploads/2016/08/raport-bip_sadow_i_prokuratur.pdf) (10.11.2016).

17 See: S. Burdziej, Legitymizacja władzy a sprawiedliwość proceduralna, „Studia Socjologiczne” 2016, No. 4 (223), p. 167 et seq.

these reservations, the research findings are unreliably explorative. They signal the occurrence of several factors generating stress to a large degree, including mobbing<sup>18</sup>.

Researchers studied a number of external factors adversely affecting judges' creativity and their decision-making process in the project "Bon Appétit Your Honour!"<sup>19</sup>. This project was carried out by the volunteers from Court Watch Poland Foundation from Cracow with cooperation of the Institute of Sociology of the Jagiellonian University. In its first phase, the relevant world literature was reviewed to find factors affecting creativity and a decision-making process. The research (and its title) was inspired by the studies of decisions taken by penitentiary judges pursued by psychologists connected with Tel Aviv University. The research revealed that the longer time passed since the judges' last meal, the stricter sentence they passed (i.e. they granted parole more rarely). Israeli researchers recommended judges not to resign from frequent breaks for meals or relax<sup>20</sup>. A questionnaire was prepared on the basis of the list of factors established in result of the literature review, and interviews were conducted with a randomly selected sample of judges working in the District Court in Cracow. The research findings were presented to the court's administration; a sample of judges and referendaries working in district courts of Cracow District is scheduled to be researched too<sup>21</sup>. A drawback of the interview method applied in the research is certainly a declaratory and subjective nature of data provided therein. Nevertheless, accumulation of anomalies in individual courts may confirm the need to intervene and take care of working conditions in a given court or division. Therefore these data may trigger taking more rational decisions within the scope of administrative supervision and provision of appropriate conditions for the operation of judicial power.

## 2. Assistance provided to clients

Although social organizations are not involved in a direct cooperation with the institutions of administration of justice, they contribute considerably to its better operation through providing legal aid to people in need. Thanks to advice given by lawyers and law students working under the auspices of non-governmental organizations, every year, thousands of people more legibly express their expectations towards the court and often refrain from initiating a lawsuit finding out it would be futile.

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18 K. Orlak, *Stres zawodowy w sądach powszechnych i jego skutki zdrowotne*, Warszawa 2016, [http://zdrowapraca.org/orka/wordpress/wp-content/uploads/2016/12/Stres\\_w\\_sadach\\_\\_wyniki\\_TEMIDA2015.pdf](http://zdrowapraca.org/orka/wordpress/wp-content/uploads/2016/12/Stres_w_sadach__wyniki_TEMIDA2015.pdf) (20.10.2016).

19 See: <https://courtwatch.pl/fundacja/biezace-projekty/smacznego-wysoki-sadzie/> (accessed: 20.10.2016).

20 S. Danziger, J. Levav, L. Avnaim-Pesso, Extraneous factors in judicial decisions, "Proceedings of the National Academy of Sciences of the United States of America" 2011, v. 108, No. 17.

21 Smaczno, *Wysoki Sądzie!*, <https://courtwatch.pl/fundacja/biezace-projekty/smacznego-wysoki-sadzie/> (25.01.2017).



## 2.1. Legal aid

Free legal aid is provided by various organizations all over Poland. Some of them provide general aid, i.e. available to all or depending on income. Other specialize in aid given to specific groups of people, e.g. women, victims of domestic violence, or addicts and their families. There are also organizations that provide legal aid to other organizations, e.g. Civil Society Development Foundation. A range of aid is different too. Sometimes advice is given in all fields of law. Organizations often specialize in specific branches of law, e.g. consumer law, or specific Acts, e.g. the Act on Access to Public Information, like Citizens Network Watchdog Poland.

Advice or counselling is most often provided by lawyers, but they are rarely registered as attorneys and legal advisors. University Law Clinics are a unique network of organizations providing legal aid. They operate in most Law Faculties of Polish universities. Students work there under substantive supervision of university scientific staff. The Foundation of University Law Clinics animates such clinics' development. It created standards and accreditation system enhancing the quality of operation of university law clinics both in relation to beneficiaries and students themselves. Since 2016 non-governmental organizations have also been running some centres of free legal advice established in Poviats under the Act of 5 August 2015 on Free Legal Aid and Legal Education. Many NGOs ran such centres before on *pro bono* basis, or funding this activity from sources other than a newly established foundation.

## 2.2. Information and assistance in courts

Aid that can be provided by the organizations directly in courts embraces informing and assisting clients (interested parties), witnesses or litigants. Such a type of aid has been provided since the end of 2015 in the District Court in Białystok by the volunteers of Court Watch Poland Foundation in cooperation with the Faculty of Law of the University of Białystok. The Information Centre run by the Foundation is placed in the court's building, opposite Customer Service Desk. Volunteers relieve Customer Service staff by helping clients establish what type of a case they deal with (Customer Service staff in Białystok are divided into specializations related to branches of law), how to fill in a form or draft a letter as well as find a right courtroom<sup>22</sup>. The activity of the Information Centre in the District Court in Białystok follows the model of "a witness assistant" that Court Watch Poland Foundation's workers came across during their study visits in the USA and Norway. Under the institution of a witness assistant, volunteers on duty in a court accompany participants of a session who need such a company in a courtroom. Their help is available *ad hoc* and, generally, to all participants of proceedings, most of all witnesses. The scope of activity of the Centre in Białystok is slightly broader while the largest group of bene-

22 Pomoc informacyjna dla uczestników procesów w sądzie w Białymstoku, <http://Bialystok.onet.pl/pomoc-informacyjna-dla-uczestnikow-procesow-w-sadzie-w-bialymstoku/h9cyzw> (25.01.2017).

ficiaries are not witnesses summoned to court but individuals initiating non-procedural proceedings: involving land or other registry. The Foundation's volunteers most often help them feel at ease in a court and fill in a form. Staff working in the Białystok Court's Centre are also different from those observed in the USA or Norway because every day few dozen volunteers are on duty there shifting every several hours. Each of few dozen volunteers spends from two to maximum eight hours a week in the Centre while workers and volunteers of foreign institutions of this type most often work in a smaller number but longer working hours.

### **2.3. Provision of a trustworthy person**

Volunteers or workers of the organizations take part in hearings as audience also upon a clear request of one of the litigants to fulfil a role of a trustworthy person. This status allows them to remain in a courtroom even if the openness of a trial has been excluded under Art. § 1 of the Code of Civil Procedure in a civil case or Art. 361 § 1 of the Code of Criminal Procedure in a criminal case, respectively. Their principal role is to support by their very presence people who could feel anxious or uncertain in a court. This activity is sometimes connected with thematic monitoring. The Centre for Women Rights or Positive Change Foundation write straightforwardly about just this role of their observers in the above cited reports. These organizations' objective is to protect women rights – victims of violence – and address their offer of help to them. Court Watch Poland Foundation conducting monitoring of courts all over Poland provides everyone with an opportunity to invite volunteers to their hearings. To facilitate inviting observers to a hearing, this Foundation runs a dedicated website called Civic Calendar of Cases. An invitation to a requested hearing is handed over to local observers who decide themselves whether to accept it and which session to attend. Between 2012 and 2016 the Foundation received invitations for over 1200 cases<sup>23</sup>.

## **3. Conclusion**

The collected data confirm that courts are often a workplace of social organizations. However, taking formal limitations into account, potential benefits ensuing from the cooperation between the organizations and courts remain unused in Poland. There is a shortage of institutionalized examples to follow and take advantage of opportunities offered by the organizations. The above mentioned example of permanent institutionalized cooperation between Białystok district court and the organization running the Information Centre there is rather an exception confirming the rule. A barrier herein may be a specific way of understanding courts' impartiality and lack of trust in the organizations' competence. In some cases the organizations' activity

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23 Wokanda Obywatelska, <https://wokandaobywatelska.pl> (25.01.2017).

is perceived by the judiciary personnel as unnecessary or outright obstructive their work. On the other hand, it may be concluded from many opinions of judges<sup>24</sup> and more frequent attendance of the representatives of organizations<sup>25</sup> in conferences and trainings that the third power in Poland is interested in what the organizations have to offer.

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24 W. Żurek, Nie tylko o raporcie z Obywatelskiego Monitoringu Sądów, "Krajowa Rada Sądownictwa" 2014, No. 4, p. 39 et seq.

25 See: Ł. Bojarski, Razem czy osobno? Współpraca, interakcja, komunikacja wymiaru sprawiedliwości i organizacji pozarządowych (Non Governmental Organizations, NGOs), "Krajowa Rada Sądownictwa" 2014, No. 4, p. 20 et seq.

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