
Session III: ‘The Allocation of Roles of Decision-Makers’

Jacek Chlebny, Vice President, Supreme Administrative Court of Poland
Chambers/Divisions — organizational units

- 107 judges
- 3 chambers (divisions): General Administrative, Financial (Tax), Commercial.
- Between 30-40 judges in each chamber
- Each chamber consists of two divisions
Panels-adjudicating units

- 3 judges sitting together with the purpose of adjudicating a case.
- Procedural issues in the case can be decided by one judge in camera.
- Enlarged panels with the only purpose to adopt a resolution: 7 judges, chamber, the SAC.
specialisation

- Principle *iura novit curia*
- Wide range of cases at the court
- Flooded by national and EU legislation and jurisprudence of both European Courts
- A judge is assigned to the division of the chamber
Enlarged panels – interpretation of the law

- panel of seven judges, the entire Chamber or the full panel of the SAC
- two types of resolutions – resolutions in individual cases (“concrete resolutions”) and abstract resolutions.
- Binding force of the resolutions - „If you do not agree, ask once more”.
Who does what?

- Monthly time table chart - President of the chamber
- Allocation of cases - head of the sub division
- Drafting a judgement - judge rapporteur (min. 9 cases per month)
- Resolutions – two rapporteur judges, ad hoc appointments
- Cross chamber resolutions - rapporteur judges from different chambers
The effect on the workload due to the allocation of roles

- Specialization - more cases can be decided
- Judge rapporteur – sharing a burden among the judges
- Resolution – fewer cases at the court, more predictable and faster judicial scrutiny, subsequent cases decided on the basis of the resolution.
Thank you