



A change of law and consequences of delivering procedural writs in the course of civil proceedings

We would like to draw your attention to an important change in the Code of Civil Procedure regarding consequences for delivering procedural writs in the course of civil proceedings, between lawyers – advocates, legal advisers, patent attorneys, advisers of General Public Prosecutors Office (Prokuratoria Generalna Skarbu Państwa).

Under Article No. 1 of the Act of 17 December 2009 amending the Code of Civil Procedure and some other Acts, Article No. 132 clause 1, regulating the delivery of procedural writs between lawyers, was amended.

As of 19 April 2010, all procedural writs from parties represented by lawyers – also in all proceedings other than commercial proceedings – shall be delivered directly to the other party with enclosures, and proof of delivery to the other party or registered letter receipt shall be attached to procedural writs filed with a court, under penalty of return of such procedural writ with no summons to remove this defect in the writ.

The rule mentioned above does not apply to: statement of a counter claim and all appeals, which shall be submitted directly to the court with a copy for the opposing party.

In cases commenced before this statute came into force (19 April 2010), until the proceedings are closed in a given instance, the regulations previously in force shall apply.

Contact

Should you have any questions or doubts regarding this matter, please do not hesitate to contact us:

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