

**RESOLUTION OF THE NATIONAL COUNCIL OF THE JUDICIARY**

**Of 19 February 2003**

**ON THE COLLECTION OF PRINCIPLES OF JUDGES' PROFESSIONAL ETHICS**

resolving upon a collection of principles  
of judges' professional ethics

Pursuant to art. 2.1.8 of the National Council of the Judiciary Act dated 17 July 2001 (Dziennik Ustaw [Journal of Laws] no. 100, item 1082), the National Council of the Judiciary shall resolve upon a collection of principles of judges' professional ethics attached to the resolution.

*Attachment to Resolution no. 25/2017  
of the National Council of the Judiciary  
dated 13 January 2017*

## **Chapter 1**

### **General principles**

#### **§1**

The office of a judge shall entail certain duties and personal restrictions.

#### **§2**

The judge shall always follow the rules of integrity, dignity, honour, sense of duty and shall always apply best practices.

#### **§3**

The judge must not take advantage of his status and prestigious position in his own interest or in the interest of other persons. In particular the judge should not abuse the immunity status granted to him.

#### **§3a**

A judge should avoid all kinds of personal contacts and economic relationships with natural persons, legal entities and other entities, and avoid taking actions in the private, professional and public spheres that could create a conflict of interests and thus have a negative impact on the judge's impartiality and undermine trust in the office of the judge.

#### **§4**

The judge should care for the authority of his office, the good of the court for which he works and the good of the administration of justice and the position of the court authority.

#### **§5**

1. The judge should follow the principles of conduct contained in this Collection of Principles of Judges' Professional Ethics (hereinafter referred to as the Collection).

2. The judge should not behave in a way that could jeopardise the judge's dignity or undermine confidence in his impartiality even if the Collection fails to provide for the same.
3. A judge who breaches ethical principles should immediately repair the effects of such breach or otherwise compensate a person injured by such conduct for the same.
4. The judge should demand impeccable behaviour from other judges and observing the principles of professional ethics and should appropriately react to misconduct.

#### §6

The principles of ethics adopted as part of the Collection shall apply to the trainee judges who have been entrusted with judges' tasks and, in an appropriate manner, to retired judges.

#### §7

The National Council of the Judiciary may change or amend provisions of the Collection and interpret them.

### **Chapter 2**

#### **Principles of service**

#### §8

In all cases assigned to him the judge shall act immediately and shall act in such way as to avoid generating unnecessary costs for the party and the State Treasury.

#### §9

1. The judge must not yield to any influences jeopardising his independence regardless of their source and reason.
2. In the event of circumstances that may jeopardise the independence of that office, the judge shall immediately notify his superior.

#### §10

The judge shall not act in a way that could undermine confidence in his independence and impartiality.

#### §11

1. The judge should explain procedural issues to parties and inform them about reasons of his decision in a way that shall be clear to them.
2. Presenting reasons of his decision the judge should avoid using phrases that go beyond the factual need for an explanation of the court's standpoint that could jeopardise dignity or honour of persons involved in the case or third parties.

#### §12

1. The judge should care for order, proper course and appropriate level of the application of procedures in which he takes part.
2. In contacts with the parties and other persons involved in the proceedings the judge should be dignified, patient, kind and require that these persons behave properly.
3. The judge should appropriately react to improper behaviour of the persons taking part in the proceedings, in particular, if these persons show prejudice in regard of race, sex, denomination, disability, age or social or financial status or due to any other reason.

#### §13

The judge should not voice his opinion in public on proceedings that are pending or are to be pending.

#### §14

1. The judge should perform his duties in the field of court administration in a diligent manner, accounting for the authority of the office of the judge and the good of the administration of justice.
2. Acting as an authority in the judiciary system the judge should care about organisational issues in a way that makes it possible to achieve the best results at work provided that the principle of the judge's independence is observed.

#### §15

The judge may apply for a case to be excluded from trying provided that there are justified reasons. It shall be inadmissible to abuse the institution of the exclusion of the judge.

### **Chapter 3**

#### **Off-duty conduct**

#### §16

In his conduct the judge must not even create the appearances of failure to observe the legal order.

#### §17

1. The judge must avoid personal contact and any other business relations with other entities if they give rise to doubts as to the impartial performance of duties by the judge or jeopardise the prestigious status and undermine confidence in the office of the judge.
2. The judge should act with due care to ensure that members of his family should not act in this way.

#### §18

1. Without giving rise to doubts, the judge should be reliable in regard of his financial issues and meticulously perform any and all related duties.
2. The judge should not perform any financial activities that could give an impression that he takes advantage of his position as a judge.

#### §19

The judge must not accept any benefits that could give an impression that they are an attempt to exert influence on him. The judge should also ensure that the members of his family should not accept such benefits.

#### §20

Based on proposals addressed to judges only, the judge should consider whether they are an attempt to exert influence on him or his professional environment.

#### §21

The judge must not provide legal services.

#### §22

The judge must not be a member of any organisation operating beyond the binding legal order or support it in any way.

§23

The judge should make use of social media in a restrained manner.