

Subject card

Subject name and code	Cross-border court disputes in the EU - lecture, PG_00144226						
Field of study	Law						
Date of commencement of studies	October 2022		Academic year of realisation of subject		2025/2026		
Education level	uniform Master's studies		Subject group		Optional subject group		
Mode of study	full-time studies		Mode of delivery		at the university		
Year of study	4		Language of instruction		Polish		
Semester of study	7		ECTS credits		2.0		
Learning profile	academic		Assessment form		credit		
Conducting unit	Department of European Law and Comparative Legal Studies -> Faculty of Law and Administration -> Rector						
Name and surname of lecturer (lecturers)	Subject supervisor		dr Marcin Michalak				
	Teachers						
Lesson types	Lesson type	Lecture	Tutorial	Laboratory	Project	Seminar	SUM
	Number of study hours	15.0	0.0	0.0	0.0	0.0	15
	E-learning hours included: 0.0						
Learning activity and number of study hours	Learning activity	Participation in didactic classes included in study plan		Participation in consultation hours		Self-study	SUM
	Number of study hours	15		0.0		35.0	50
Subject objectives	The aim of the course is to familiarise students with the position of the individual in the European Union in the context of functioning within the cross-border legal space. Students will gain knowledge of the rights and obligations deriving from EU citizenship, freedom of movement, and access to institutions and legal protection mechanisms in cross-border situations. The course develops the ability to analyse the impact of EU and national law on the daily life of an individual who moves, works, or carries out activities in more than one Member State.						

Learning outcomes	Course outcome	Subject outcome	Method of verification
	[PRAWOJ5_WK11] The graduate has deepened knowledge of the principles of creating and developing basic forms of individual entrepreneurship.	The student has in-depth knowledge of the principles of establishing and developing basic forms of individual entrepreneurship in the cross-border legal space of the European Union. The student can identify EU and national regulations governing business activities carried out by citizens in different Member States.	[SW4] test/exam - oral or written [SW2] presentation/project/paper/report
	[PRAWOJ5_UW05] He/she can observe and analyze moral, ethical and legal dilemmas in professional work	The student is able to identify and analyse moral and legal dilemmas related to the functioning of individuals within the EU cross-border legal space. The student can indicate ways of resolving them based on EU law and professional ethical principles.	[SU1] oral statement/conversation/discussion [SU3] text preparation/written work
	[PRAWOJ5_WK12] He/she has knowledge of occupational health and safety in public administration institutions	The student knows the basic principles of occupational safety and health in public administration institutions, particularly in the context of the functioning of EU offices and cross-border cooperation.	[SW4] test/exam - oral or written [SW3] text preparation/written work
	[PRAWOJ5_UW07] He/she has the skills in understanding and analyzing social phenomena and utilizing this analysis in his/her professional work.	The student has developed the ability to understand and analyse social phenomena related to the functioning of the individual within the EU cross-border legal space. The student is able to use the results of this analysis to assess the impact of EU and national law on the everyday life of citizens.	[SU2] presentation/project/paper/report [SU3] text preparation/written work
	[PRAWOJ5_WG04] He/she knows the system of Polish law, mutual connections within the system and connections of Polish law with the European Union law and international law	The student knows the Polish legal system and its links with European Union law and international law, particularly in the context of the protection of individual rights and functioning within the cross-border legal space. The student can explain how national provisions coexist with EU and international norms and what impact they have on the legal situation of the citizen.	[SW4] test/exam - oral or written [SW3] text preparation/written work
	[PRAWOJ5_WG03] He/she demonstrates deepened knowledge about the political system in Poland, about individual authorities with particular consideration of legislative authority and the judiciary,	The student has in-depth knowledge of the system of power in Poland and the role of individual authorities, with particular emphasis on the legislative and judicial branches, in the context of their relationship with the European Union legal system. The student can explain how national institutions cooperate with EU bodies to protect individual rights in cross-border situations.	[SW4] test/exam - oral or written [SW2] presentation/project/paper/report
	[PRAWOJ5_WG02] He/she knows wide terminology and concepts in the scope of law and connected disciplines	The student knows extended terminology and key concepts in the field of European Union law and national law, particularly those related to individual rights and functioning within the cross-border legal space. The student is able to correctly use these concepts when analysing legal problems.	[SW4] test/exam - oral or written [SW1] oral statement/conversation/discussion
	[PRAWOJ5_KK02] He/she is aware of the necessity to widen professional competences and qualifications, to improve skills, is able to indicate the direction of own development and education independently in widened and deepened way	The student is aware of the need to broaden their professional competences in the field of EU law and can independently plan the further development of knowledge about cross-border legal issues.	[SK1] oral statement/conversation/discussion [SK3] text preparation/written work

Course outcome	Subject outcome	Method of verification
[PRAWOJ5_UW02] The graduate utilizes theoretical knowledge in legal science and the connected academic disciplines to analyze and interpret complex legal issues	The student is able to integrate knowledge of EU and national law and related disciplines (e.g. social sciences) to analyse and interpret complex legal problems of an individual functioning within the cross-border legal space. The student can identify the interrelation between national norms and EU law provisions and their impact on the situation of the individual	[SU2] presentation/project/paper/report [SU4] test/exam - oral or written
[PRAWOJ5_WG08] He/she has deepened knowledge of sources of Polish law, its changes and processes of law formation	The student has in-depth knowledge of the sources of Polish and EU law and understands the process of their creation and change in the context of their impact on the situation of the individual in the cross-border legal space.	[SW4] test/exam - oral or written [SW3] text preparation/written work
[PRAWOJ5_KR05] He/she prepares responsibly to his/her work; can determine priorities in work and plan work appropriately	The student is able to prepare responsibly for the analysis of legal issues related to the functioning of the individual within the EU cross-border legal space. The student can independently set priorities in their work, properly plan the stages of analysis, and carry out assigned tasks in a timely manner.	[SK4] test/exam - oral or written [SK5] implementation of a problem task
[PRAWOJ5_KR06] He/she behaves in ethical and professional way, follows the principles of ethics	The student understands the importance of behaving ethically and professionally when working with EU law. The student is able to apply professional ethics when analysing legal problems in a cross-border context and when interacting with EU institutions.	[SK1] oral statement/conversation/discussion [SK3] text preparation/written work
[PRAWOJ5_WK10] He/she understands and knows the basic concepts and principles of industrial property protection and copyright law, as well as understands the need for proper protection of intellectual property and managing its resources	The student knows the basic concepts and principles of industrial property protection and copyright in the cross-border context within the European Union. The student understands the importance of proper intellectual property protection and can indicate EU legal mechanisms supporting the management of these resources in the cross-border legal space.	[SW4] test/exam - oral or written [SW3] text preparation/written work
[PRAWOJ5_UK09] He/she demonstrates wide skills in preparing speeches in the field of law in Polish and foreign language	The student is able to prepare and deliver an oral presentation in Polish and in a foreign language on legal issues related to the functioning of the individual in the EU cross-border legal space.	[SU1] oral statement/conversation/discussion [SU2] presentation/project/paper/report
[PRAWOJ5_WG09] He/she demonstrates deepened and systematic knowledge about the processes of changes of political systems and of individual authorities, as well as the consequences of these changes	The student has in-depth and structured knowledge of the processes of change in the power systems of Member States and EU institutions, and understands the consequences of these changes for the situation of the individual in the cross-border legal space.	[SW4] test/exam - oral or written [SW2] presentation/project/paper/report
[PRAWOJ5_KO04] The graduate is ready to prepare own projects connected with the creation, application and interpretation of legal regulations, including projects co-financed by the European Union's funds	The student is ready to independently prepare social projects that include legal, economic, and political aspects, especially those related to the functioning of the individual within the EU cross-border legal space. The student can identify opportunities for implementing projects co-financed by EU funds.	[SK2] presentation/project/paper/report

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	[PRAWOJ5_WG06] He/she has systematic knowledge about the man as the subject establishing social structures and principles of their operation and about the man as the individual operating in these structures	The student has structured knowledge of the role of the individual as a subject shaping social structures within the EU and of the principles governing the individual's functioning in these structures, especially in the context of freedom of movement.	[SW4] test/exam - oral or written [SW1] oral statement/ conversation/discussion
	[PRAWOJ5_WK13] He/she has advanced knowledge of the functioning of professional self-governments in legal professions, is familiar with the principles of judges' and prosecutors' professions, and has knowledge of the organization of the judiciary in Poland.	The student has in-depth knowledge of the functioning of professional self-governments of legal professions in Poland and their relevance within the EU cross-border legal space. The student knows the principles of practising as a judge and prosecutor in the context of international and European cooperation and understands the organisation of the judiciary in Poland in relation to the EU legal system.	[SW4] test/exam - oral or written [SW2] presentation/project/paper/ report
	[PRAWOJ5_UW01] He/she has advanced skills in observation and interpretation of social phenomena, analyzes their connections with various areas, activity of legal science and the related disciplines	The student has advanced skills in observing and interpreting social phenomena related to the mobility of individuals within the European Union and their links with different areas of national and EU law. The student can analyse the social impacts of EU law provisions and policies on the life of individuals in the cross-border legal space.	[SU2] presentation/project/paper/ report [SU3] text preparation/written work
	[PRAWOJ5_WG07] The graduate knows methods and tools, including techniques of data and information acquisition, as well as research methods appropriate for the field of study and the related disciplines	The student knows the methods and tools for collecting information and research methods used in legal sciences and related disciplines, which are necessary for analysing individual problems in the EU cross-border legal space.	[SW2] presentation/project/paper/ report [SW3] text preparation/written work
	[PRAWOJ5_UO11] He/she can work well in a team and can coordinate the team's work when solving legal problems, interpreting legal acts, and preparing written or oral opinions on a matter.	The student can work in a team and coordinate teamwork when analysing and solving legal problems of individuals in the EU cross-border legal space. The student can prepare a joint written or oral position on issues requiring the interpretation of EU and national legal acts.	[SU2] presentation/project/paper/ report [SU8] observation of student's independent or team work
	[PRAWOJ5_KO03] He/she is prepared for active participation in groups, organizations and institutions connected with law, is also able to communicate with specialists and non-specialists in the field of law	The student is ready to actively participate in groups, organisations and institutions dealing with EU law and cross-border issues. The student can communicate effectively with legal professionals and non-lawyers alike.	[SK1] oral statement/conversation/ discussion [SK8] observation of student's independent or team work
	[PRAWOJ5_WG01] The graduate demonstrates deepened and systematic knowledge about the character of legal science, its place in the system of sciences and mutual relations.	The student has in-depth and structured knowledge of the nature of legal sciences in the context of European Union law and understands their place within the system of social sciences. The student can explain how EU and national law interact and how their relationship affects the protection of individual rights in the cross-border legal space.	[SW4] test/exam - oral or written [SW2] presentation/project/paper/ report
	[PRAWOJ5_KK01] The graduate is deeply aware of the level of his/her knowledge and skills, and also understands the need of lifelong learning	The student has an advanced awareness of the level of their knowledge and skills in EU law and understands the need for lifelong learning to keep up with changes in the cross-border legal space.	[SK1] oral statement/conversation/ discussion [SK3] text preparation/written work

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	[PRAWOJ5_UW06] The graduate is able to assess the usefulness of typical procedures and good practice in the implementation of tasks connected with various spheres connected with law and related fields	The student is able to assess the relevance of procedures and practices used in the European Union to solve legal problems of individuals functioning within the cross-border legal space. The student can identify which legal and administrative mechanisms are most appropriate for protecting the rights of an individual moving between Member States.	[SU2] presentation/project/paper/report [SU3] text preparation/written work [SU4] test/exam - oral or written
	[PRAWOJ5_UW04] He/she efficiently observes and analyzes moral, ethical and legal dilemmas in professional work	The student efficiently applies the principles and legal norms of EU and national law in cross-border contexts. The student can use them in practical tasks simulating professional situations.	[SU2] presentation/project/paper/report [SU5] implementation of a problem task
	[PRAWOJ5_UW03] The graduate demonstrates deepened skills of using complex theoretical points of view to analyze, interpret and plan strategies of legal activities; solves concrete problems connected with the creation, application and interpretation of legal regulations, anticipates the course of their solution and predicts the effects of planned activities	The student can use complex theoretical approaches of EU and national law to analyse and interpret legal problems of individuals in the cross-border legal space. The student is able to design a legal strategy, forecast the consequences of planned solutions and indicate possible implementation scenarios.	[SU2] presentation/project/paper/report [SU5] implementation of a problem task
	[PRAWOJ5_KR07] The graduate is ready to take up professional challenges, takes up efforts and is persistent in the implementation of individual and group activities in the creation, application or interpretation of legal regulations and related sciences	The student is ready to take on professional challenges related to analysing and solving legal problems of individuals in the EU cross-border legal space. The student can persistently carry out assigned tasks, both individually and as part of a team, demonstrating commitment to preparing analyses and presentations.	[SK2] presentation/project/paper/report [SK8] observation of student's independent or team work
	[PRAWOJ5_UU12] He/she acquires knowledge efficiently and develops his/her professional skills using various sources (in native and foreign language) and modern technologies	The student can effectively acquire knowledge and develop skills related to cross-border issues, using literature and legal sources in their native language and in a foreign language, as well as modern information technologies.	[SU2] presentation/project/paper/report [SU3] text preparation/written work
	[PRAWOJ5_UK08] The graduate has wide skills to prepare written works connected with the work of a lawyer in Polish and foreign language	The student is able to prepare various forms of written work in Polish and in a foreign language on EU law and cross-border legal issues.	[SU3] text preparation/written work
	[PRAWOJ5_WG05] The graduate demonstrates systematic knowledge about the types of legal relations and the governing regularities	The student has structured knowledge of the types of legal relations within the EU cross-border legal space and the principles governing them.	[SW4] test/exam - oral or written [SW3] text preparation/written work

Course Content:

Framework syllabus by teaching units (Cross-Border Litigation in the EU lecture)

Lecture Unit 1: Introduction to cross-border litigation

- The concept and importance of cross-border disputes in the EU.
- Sources of law in cross-border litigation.

Lecture Unit 2: International jurisdiction fundamentals

- Principles for determining jurisdiction in the EU.
- Key legal instruments (Brussels I bis Regulation).

Lecture Unit 3: General and special jurisdiction

- Jurisdiction based on the defendants domicile.
- Special jurisdiction examples.

Lecture Unit 4: Contractual and alternative jurisdiction clauses

- Jurisdiction agreements.
- Rules on effectiveness of clauses.

Lecture Unit 5: Exclusive jurisdiction in the EU

- Categories of disputes subject to exclusive jurisdiction.
- Significance and effects.

Lecture Unit 6: Conflict-of-law rules

- Basics of private international law.
- Determining the applicable law.

Lecture Unit 7: Recognition and enforcement of judgments

- Recognition of judgments of Member State courts.
- Enforcement procedures.

Lecture Unit 8: European Payment Order

- Procedure and application.

	• Limitations and legal effects.		
	Lecture Unit 9: European Small Claims Procedure		
	• Characteristics of the procedure. • Practical aspects.		
	Lecture Unit 10: Provisional and protective measures		
	• Issuing and enforcing protective measures. • Practical challenges.		
	Lecture Unit 11: Alternative Dispute Resolution (ADR)		
	• Mediation and arbitration in cross-border disputes. • The role of EU institutions.		
	Lecture Unit 12: Cross-border enforcement proceedings		
	• Enforcement of enforceable titles in the EU. • Cooperation between enforcement authorities.		
	Lecture Unit 13: The role of the Court of Justice of the EU (CJEU)		
	• Key CJEU judgments. • Preliminary ruling procedure.		
	Lecture Unit 14: Case studies practical analysis		
	• Examples of judgments and practical implications. • Discussion of case studies.		
	Lecture Unit 15: Summary and exam preparation		
	• Review of the material. • Preparation for exam questions.		
Prerequisites and co-requisites			
Assessment methods and criteria	Subject passing criteria	Passing threshold	Percentage of the final grade
	oral presentation/discussion	0.0%	20.0%
	presentation/project/report	0.0%	15.0%
	written or oral test	51.0%	65.0%

Recommended reading	Basic literature	1. J. Barcz, M. Górka, A. Wyrozumska (red.) - <i>Instytucje i Prawo Unii Europejskiej. Podręcznik dla kierunków prawa, zarządzania i administracji</i>, Wolters Kluwer, Warszawa, 2023. 2. M.M Kenig-Witkowska, A. Łazowski, R. Ostrihansky - <i>Prawo instytucjonalne Unii Europejskiej</i>, C.H. Beck, Warszawa, 2019. 3. A. Zawidzka-Łojek, A. Łazowski (red.) - <i>Podręcznik Prawa Unii Europejskiej</i>, EuroPrawo, Warszawa, 2018. 4. Klaus-Dieter Borchardt - <i>ABC prawa Unii Europejskiej</i>, Urząd Publikacji Unii Europejskiej, Luksemburg, 2017.
	Supplementary literature	Tomasz T. Koncewicz - <i>To Ensure that the Common Values and the Law are Observed: What to make of the value turn in the case law of the Court of Justice?</i>, European Law Blog, 2021 Kai P. Purnhagen, Anniek de Ruijter, Mark L. Flear, Tamara K. Hervey, Alexia Herwig - <i>More Competences than You Knew? The Web of Health Competence for European Union Action in Response to the COVID-19 Outbreak</i>, Cambridge University Press, 2020. Koen Lenaerts, José A. Gutiérrez-Fons - <i>To Say What the Law of the EU Is: Methods of Interpretation and the European Court of Justice</i>, EUI AEL, 2013. Koen Lenaerts - <i>The Rule of Law and the Coherence of the Judicial System of the European Union</i>, Common Market Law Review, 2007. Koen Lenaerts, José A. Gutiérrez-Fons - <i>The Constitutional Allocation of Powers and General Principles of EU Law</i>, European Constitutional Law Review, 2020. Koen Lenaerts - <i>New Horizons for the Rule of Law Within the EU</i>, German Law Journal, 2019.
	eResources addresses	
Example issues/ example questions/ tasks being completed		
Work placement	Not applicable	

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