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## INCOMPLETE DIGITALIZATION OF POLISH CRIMINAL PROCEDURE – REMARKS ON THE SUBMISSION OF OFFICIAL LETTERS IN ELECTRONIC FORM AND SIGNING OFFICIAL LETTERS BY ELECTRONIC SIGNATURE

Niekompletna digitalizacja polskiej procedury karnej – uwagi na tle wnoszenia pism procesowych w formie elektronicznej i podpisywania pism procesowych podpisem elektronicznym

### Abstract

The objective of this paper is to present the following shortcomings in the digitalization of the Polish criminal procedure: the impossibility of submitting official letters in electronic form and the inability to sign official letters electronically. Firstly, the importance of the digitalization of criminal procedure will be presented. The subsequent analysis focuses on the current development of criminal procedure's digitalization in Poland and the incompleteness of the digitalization process of Polish criminal procedure on the ground of the scope of the impossibility of submitting official letters in electronic form and signing them by electronic signature.

**Keywords:** digitalization, criminal proceedings, submitting official letters, electronic delivery, Polish Code of Criminal Procedure

### Abstrakt

Celem niniejszego artykułu jest prezentacja niekompletności procesu digitalizacji polskiego postępowania karnego na przykładzie niemożności wnoszenia pism procesowych drogą elektroniczną oraz niemożności podpisywania pism procesowych podpisem elektronicznym. W pierwszej kolejności przedstawiona zostanie kwestia roli, jaką pełni digitalizacja procedury karnej. W następnej części artykułu, autor skupi się na przedstawieniu dotychczasowego procesu rozwoju digitalizacji polskiego procesu karnego i jego niekompletności na przykładzie

nieemożności wnoszenia pism procesowych drogą elektroniczną oraz podpisywania ich podpisem elektronicznym.

**Słowa kluczowe:** digitalizacja, proces karny, wnoszenie pism procesowych, doręczenia elektroniczne, Kodeks postępowania karnego

## 1. Introduction

A salient feature of the contemporary epoch is the progressive digitalization of nearly every facet of human existence. Consequently, the phenomenon of digitalization encompasses legal implications. The term "digitalization" is defined as follows: The process of converting data into a digital format that is readily comprehensible and processable by a computer is defined as follows:<sup>1</sup> Digitalization, in this context, signifies the process of converting traditional human activities (e.g., writing and signing letters) into digital formats. This enables the activities to be read and processed by a computer and also permits them to be carried out using electronic devices, such as computers or smartphones. Digitalization unquestionably facilitates the expeditious and uncomplicated generation and modification of documents (or other files)<sup>2</sup>. Digitalization, in the aforementioned sense, facilitates the execution of daily tasks with greater efficiency, accuracy, and, in some cases, reduced expense compared to conventional methods. Digitalization is exerting an increasingly profound influence on nearly every facet of human life, and it is imperative to regard it as a progressive and continually evolving phenomenon rather than as a static entity. It is evident that digitalization has the potential to profoundly influence criminal, civil, and administrative proceedings within the legal domain. Therefore, the establishment of boundaries regarding the digitalization of law is contingent upon the assessment of specific legal institutions to determine their suitability for digitalization and the manner in which this digitalization should be executed. This assessment is the responsibility of scholars. Conversely, there is a need for rigorous verification of the legislator's implementation of digital transformation in specific legal domains and the extent of its advancement.

The primary objective of this paper is to provide a concise exposition of the limitations in the present development of digitalization in Polish criminal proceedings. This is exemplified by the unfeasibility of submitting official letters in electronic form and the inability to employ electronic signatures for their endorsement<sup>3</sup>. It is imperative to acknowledge that the legal status will be examined from January 2026 onwards. The initial segment of this discourse will address the significance of the digital transformation in criminal proceedings. The subsequent section of the paper will provide a concise overview of the current state of digitalization in criminal proceedings in Poland. Nevertheless, the most salient issue addressed in this paper pertains to the inadequacies inherent in the digitalization of the Polish criminal procedure. This phenomenon is exemplified by the legal inadmissibility of submitting official letters

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<sup>1</sup>"Digitalization", *Oxford Learner's Dictionary*, available at <https://www.oxfordlearnersdictionaries.com/definition/english/digitalization> (access: 15.01.2026).

<sup>2</sup> Such as photographs, paintings etc.

<sup>3</sup> Consequently, the present study focuses on the second facet of legal institutions' digitalization research, namely, the assessment of the advancement of digitalization in procedural law and the validity of the existing digitalization process in criminal procedure, considering its distinctive legal institutions.

in electronic form and signing official letters with an electronic signature. The final section of the paper will present and discuss the most recent regulation that will govern the matter of electronic delivery in criminal proceedings. This regulation is set to take effect in 2026 and 2029.

## **2. Importance of digitalization in criminal proceedings**

Firstly, the impact of digitalization on criminal proceedings must be considered. As was mentioned in the introduction, digitalization is a progressive and unfinished process (or, more precisely, a collection of various processes). Consequently, it is not feasible to present all of the advantages and disadvantages of the various manners of using digital technologies in criminal proceedings. The ensuing deliberations will be founded on the prevailing knowledge concerning the application of digital technologies in criminal proceedings.

The digitalization of criminal proceedings in Poland has accelerated in response to the ongoing pandemic. The implementation of lockdowns in 2020 and 2021 resulted in significant disruption to the operational processes of courts. Given the impracticality of conducting a trial in person, two potential legal frameworks could be established to address this issue. Legislators could establish regulations to suspend trials for certain periods. Nonetheless, the efficacy of this solution is contingent upon the implementation of lockdown or less stringent restrictions related to COVID-19, which are in effect for a limited duration, perhaps two to three months. In the absence of such a restriction, the protracted cessation of hearings may result in substantial backlogs in the adjudication of cases. Consequently, this could potentially result in the suspension of judicial proceedings. Hence, an alternative solution should be sought. An alternative to in-person hearings is remote hearings. Remote hearings are proceedings that utilize computers and applications for real-time remote communication. The aforementioned characteristic of remote hearings is applicable not solely in circumstances where in-person attendance at the court's physical premises is impracticable. This is due to the implementation of provisions that either suspend or prohibit in-person hearings. The efficacy of remote hearings is contingent upon the functionality of conventional court operations. These measures have the potential to reduce the financial and temporal demands associated with legal proceedings, particularly in cases where a party or their legal representative resides at a considerable distance from the court.

Digitalization of hearings is imperative. In the contemporary era, an increasing number of pieces of evidence are being stored and transmitted digitally. The implementation of provisions regulating issues connected with the aforementioned evidence, as well as the manner of its examination, may be necessary. It is imperative to acknowledge the mounting significance of digital evidence within criminal proceedings, a trend that is set to gain accelerated momentum in the foreseeable future. Moreover, the advent of digitalization has given rise to novel threats to evidential proceedings, particularly with regard to the manipulation of evidence through the utilization of artificial intelligence and deepfake technology. Legislative intervention may also be necessary to counteract the use of fabricated evidence, thereby leading to an increase in the digitalization of criminal procedures.

Another field of digitalization of criminal proceedings is the digitalization of case records. This particular form of digitalization is predicated on the maintenance of case records as a series of computer files. This will have a positive impact on the duration of the procedure, as the transfer of records between courts or between the prosecutor's office and court may last even several seconds. Additionally, the process of browsing records will be expedited, as locating a specific page will no longer necessitate a comprehensive search of the entire record, necessitating the use of a file browser or analogous tools to swiftly identify the desired page. The digitization of case records facilitates convenient access to these records or their components by the involved parties or their representatives, including the capacity to share them remotely. In certain legal systems, the implementation of digital case records necessitates the establishment of provisions that facilitate the maintenance, organization, and resolution of potential intertemporal issues.

As D. Papp, B. Krausz, and F.Z. Gyuranecz note, the digitalization of criminal proceedings represents a significant emerging field of study. The aforementioned authors posited the following: “The advent of big data has led to the emergence of companies that specialize in judge analytics, providing their clientele with information regarding judicial personnel based on the cases they have presided over. This may assist legal professionals in formulating their argumentation, thereby enhancing the likelihood of success in court. Additionally, it can facilitate strategic decision-making, as it provides a more comprehensive and precise understanding of the relevant information. The utilization of assistive software in judicial proceedings has the potential to facilitate the rationalization of legal decisions”<sup>4</sup>. As posited by these scholars, a particular aspect of the digitalization of criminal proceedings is indisputably associated with artificial intelligence. It is imperative to acknowledge the dualistic nature of artificial intelligence's application in criminal proceedings: while it can serve a constructive role, such as aiding in evidence assessment, it can also be utilized in a detrimental manner as a means to fabricate evidence.

In summary, the digitalization of criminal proceedings is a multifaceted phenomenon. Its significance lies in the potential for enhancing efficiency, leading to expedited case resolutions and the prompt delivery of just verdicts. The potential for remote hearing and access to case records by relevant parties has the capacity to enhance access to justice. Digitalization has the potential to facilitate the management of cases in prosecutor's offices and courts. The implementation of the most recent technological advancements within criminal proceedings is of paramount importance. This necessity arises from the rapid advancements in technology, which are poised to give rise to novel electronic methods of committing crimes and new forms of information that may be admissible as evidence in specific cases. It is imperative to acknowledge that advancements in technology are an ongoing phenomenon, thereby underscoring the necessity for the progressive integration of digital methodologies into criminal proceedings.

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<sup>4</sup> In circumstances where the prevailing legal framework is deficient in its specific legal instruments, such as the absence of adequate legislation to effectively collect and review electronic evidence, this situation is referred to as the "electronic evidence gap." Cf. D. Papp, B. Krausz, F.Z. Gyuranecz, *The AI is now in session – The impact of digitalization on courts*, “Cybersecurity and Law” 2022, No. 1(7), p. 274.

### 3. Current development of digitalization criminal proceedings in Poland

As previously mentioned, digitalization has been shown to have a positive impact on criminal proceedings. It is imperative to underscore that the integration of digital technologies into domestic legal systems should be executed in a judicious manner, with the overarching objective being the attainment of specific, predefined goals.

It is imperative to acknowledge that the digitalization of criminal proceedings in Poland is not a recent development. However, the ongoing discourse surrounding the digitalization of Polish law, accelerated by the pandemic, has garnered significant attention. This has led to a swift progression in the digitalization of criminal proceedings. Provisions establishing legal frameworks for digitalization in select aspects of criminal proceedings were implemented prior to 2020, and these provisions are not associated with the challenges posed by the pandemic or other circumstances that have led to the restriction of court and prosecutor's office operations.

The initial legal institution to be considered within the framework of the digitalization of criminal proceedings pertains to accelerated proceedings. The regulation was officially implemented on November 11, 2011, pursuant to the authority granted by the Act of August 31, 2011, which introduced amendments to the Act on the Safety of Mass Events and associated legislation<sup>5</sup>. According to Article 517b § 2a of the CCP<sup>6</sup>. The forcible presentation of an accused individual in a court of law, as stipulated in § 1, may be subject to waiver under certain conditions. This waiver is contingent upon the assurance of the accused's engagement in all judicial proceedings wherein he or she has the right to appear. Specifically, the accused is obligated to provide explanations through the utilization of technical apparatus that facilitates the remote conduct of these proceedings, accompanied by the simultaneous transmission of visual and auditory components. In such a case, submitting a request for the case to be heard is tantamount to placing the perpetrator at the disposal of the court. In the case specified in § 2a, a court referendary or a judge's assistant employed in the court in whose district the perpetrator resides takes part in all judicial activities using technical devices enabling these activities to be carried out remotely (§ 2b). These regulations are applicable in the event of the presence of a defence counsel (§ 2c), as well as a translator (§ 2d). The aforementioned form of hearing, as described by select Polish authors, is designated as "delocalized hearing" (*rozprawa odmiejscowiona*)<sup>7</sup>. As A. Światłowski has observed, the essence of this phenomenon is characterized by its concurrent occurrence in two distinct locations. The transmission of sound and video between two locations is essential for enabling a participant in one location to observe in real time the events occurring in the other location<sup>8</sup>. The necessity to establish videoconferencing between these locations will be imperative, necessitating the utilization of

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<sup>5</sup> Act of August 31 2011 amending the Act on the safety of mass events and certain other acts (Journal of Laws 2011, No. 217, item 1280).

<sup>6</sup> Act of July 6 1997 – Code of Criminal Procedure (Journal of Laws 2025, item 46 with amendments), hereinafter: CCP.

<sup>7</sup> Cf. e.g. P. Wiliński et al., *Polski proces karny*, Warsaw 2022, p. 652 or P. Czarnecki, A. Górski, *Commentary on Article 517b of CCP* [in:] *Kodeks postępowania karnego. Komentarz*, ed. A. Sakowicz, Warsaw 2023, Legalis. Nonetheless, there are dissenting voices that condemn the designation of this form of hearing as "delocalized hearing." Cf. A. Światłowski, *Commentary on Article 517b of CCP* [in:] *Kodeks postępowania karnego. Komentarz*, ed. J. Skorupka, Warsaw 2023, Legalis.

<sup>8</sup> *Ibidem*, Legalis.

applications that facilitate remote communication. It is imperative to note that a delocalized hearing is permitted to be conducted in a single court session. This session must commence and conclude on the same day. In the event that a break is ordered for a period exceeding one day, the remote hearing functionality becomes inoperable<sup>9</sup>.

Prior to 2020, the aforementioned regulation permitted remote hearings only in limited circumstances. The implementation of remote hearings was necessitated by the exigencies posed by the ongoing pandemic<sup>10</sup>. It is imperative to note that the CCP imposes limitations on the remote conduct of hearings in criminal proceedings. In addition to the circumstances previously enumerated, remote hearings in Polish criminal proceedings are admissible under the accelerated procedure in the following instances:

1. According to Article 177 § 1a of the CCP, the use of technical devices enables the remote execution of this activity, with simultaneous direct transmission of image and sound.
2. The act of conducting an investigation remotely, as outlined in Article 184, § 4 of the CCP, involves the use of technical devices by an anonymous witness (*incognito*) to facilitate the collection of evidence.
3. In instances where a minor aggrieved party is subject to interrogation, the utilization of technical devices that facilitate remote interrogation with simultaneous direct transmission of images and sound is permissible, provided that the minor party was 15 years of age at the time of interrogation and there is a substantiated concern that interrogation under alternative conditions could compromise their mental well-being (Article 185a § 4 of the CCP).
4. In the event that a minor witness is under the age of 18 at the time of interrogation, the utilization of technical devices enables the remote execution of this procedure, accompanied by the simultaneous direct transmission of visual and auditory data. This protocol is applicable in instances where crimes are perpetrated through the use of violence or unlawful threats, or those enumerated in Chapters XXV and XXVI. The implementation of this protocol is contingent upon the presence of a legitimate concern that the direct presence of the accused during the interrogation process could potentially compromise the witness's testimony or adversely affect their psychological well-being (Article 185b § 1 of the CCP).
5. According to Article 377 § 4 of the CCP, the interrogation of the accused is permitted to take place using technical devices that enable this activity to be carried out remotely, with simultaneous direct transmission of image and sound.
6. The execution of procedural activities in accelerated proceedings is facilitated by the utilization of technical devices, which enable the remote execution of these activities with simultaneous direct transmission of images and sound. This procedure is

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<sup>9</sup> J. Wiczorek-Nowak, *Accelerated proceeding* [in:] *Prawo karne procesowe dla sędziów, prokuratorów, obrońców i pełnomocników*, ed. M. Olężałek, Warsaw 2024, Legalis.

<sup>10</sup> Possibility of remote hearing was introduced on the power of the Act of June 19, 2020 on interest subsidies on bank loans granted to entrepreneurs affected by the effects of COVID-19 and on simplified proceedings for the approval of an arrangement in a relationship with the occurrence of COVID-19 (Journal of Law 2022, item 2141 with amendments).

implemented in the event of waiving the compulsory appearance of the perpetrator in court, as stipulated in Article 517b § 2a of the CCP.

7. The chairman's consent is required for the prosecutor's participation in the hearing using technical devices that enable remote participation with simultaneous direct transmission of image and sound. This consent is contingent upon the prosecutor's submission of a request for participation and the absence of technical impediments (Article 374 § 3 of the CCP).
8. In the event that the compulsory appearance of a suspect in court is waived, it is imperative that the suspect's participation in the proceedings is ensured. This entails their provision of explanations through the utilization of technical devices that facilitate remote participation in the meeting, ensuring the transmission of their image and sound in real-time (Article 350 § 3b of the CCP).
9. Exemption from the obligation to appear at the trial of the accused, an auxiliary prosecutor, or a private prosecutor who is deprived of liberty is permitted, provided that the participation of these parties in the trial is ensured using technical devices that enable remote participation with simultaneous direct transmission of image and sound (Article 374 § 4 of the CCP)<sup>11</sup>.

Another noteworthy regulation is Article 156 of the CCP. As stated in § 1 of the aforementioned article, the parties, defence counsels, proxies, and statutory representatives are granted access to the court case files and permitted to prepare copies or duplicates thereof. With the consent of the presiding judge, these documents may also be made available to other parties. In the event that technical reasons do not impede the process, information regarding case files may also be disseminated through an IT system. In accordance with the aforementioned provision, the objective is to facilitate access to the case record, not its content. Article 156 § 5 of the CCP permits the dissemination of case records in electronic format by the following entities: parties, defence counsels, attorneys, and statutory representatives. This dissemination is permitted during pretrial proceedings and is executed by the prosecutor. According to the prevailing doctrine, the CCP provision does not regulate the scope of electronic case records or the moment of their delivery to the addressee<sup>12</sup>. However, current legislation, including the CCP, does not anticipate the maintenance of case records in digital format. Consequently, these records must be retained in their traditional, physical form<sup>13</sup>.

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<sup>11</sup> More about remote hearing in the Polish criminal procedure: A. Grubalska, *Remote trial under the Article 374 of the Code of the Criminal Procedure*, "Annals of The Administration and Law" 2021, No. 3(XXI), pp. 99-109; C. Kulesza, *Remote Trials and Remote Detention Hearing in Light of the ECHR Standard of the Rights of the Accused*, "Białystok Legal Studies" 2021, No. 26(3), pp. 205-221; K. Szczechowicz, *Prosecutors' remote participation in criminal trial*, "Studia Prawnoustrojowe" 2023, No. 62, pp. 505-514, and P. Misztal, *E-arrest meetings under the terms of art. 250 § 3b-3h of the Code of Criminal Procedure. Postulates de lege lata and de lege ferenda*, "Studia Prawnoustrojowe" 2021, No. 54, pp. 405-422.

<sup>12</sup> R. Kuśpiel, *Informatyzacja postępowania karnego a prawo do obrony* [in:] *Prawo publiczne i prywatne w dobie informatyzacji – ocena dotychczasowych rozwiązań i perspektywy na przyszłość*, ed. B. Kotowicz, A. Kurzawa and Ł. Nosarzewski, Warsaw 2023, pp. 140-141.

<sup>13</sup> However, in Poland is discussed whether case record should be digital. Cf. J. Kosowski, *Elektroniczne akta postępowania w świetle udostępniania akt sprawy karnej* [in:] *Srebrna księga jubileuszowa upamiętniająca XXV-lecie Wydziału Prawa i Administracji*, ed. R.A. Stefański, Warsaw 2022, pp. 353-363.

M. Nawrocki, in addition to providing other examples of the digitalization of criminal proceedings, also makes the following indication:

1. The potential exists for the transmission of information regarding the commission of a criminal act through the utilization of electronic means of communication.<sup>14</sup>
2. The preparation of an electronic protocol, which is defined as a protocol that contains recorded video or sound, is underway.
3. The dissemination of information concerning criminal cases via electronic registers is stipulated in Article 213 § 1 of the CCP.
4. In accordance with Article 213, § 1a and 1b of the CCP, information regarding the suspect or accused person must be obtained from electronic registers.
5. The court or prosecutor may request the following: - correspondence - parcels - data expressed in the provisions of the Telecommunications Law, especially phone logs (Article 218 § 1 of the CCP)
6. The act of controlling and perpetuating telephone conversations as well as electronic correspondence is outlined in Article 241 of the CCP.
7. The provision of CCPs is imperative for the regulation of the procedure through which the Polish court or prosecutor may appeal to the court or prosecutor of other EU countries for the purpose of securing and maintaining electronic evidence. This term "electronic evidence" is understood to encompass a wide range of data, including electronic correspondence, phone logs, and other electronic information, as well as the carriers containing such data<sup>15</sup>.

#### **4. Lack in the field of digitalization – submitting an official letter in electronic form and signing an official letter by electronic signature**

At the outset of this analysis, it is imperative to delineate the provisions of the CCP that pertain to the submission of official letters in the context of criminal proceedings.

One of the most significant provisions of the CCP in this regard is Article 119 § 1. This provision stipulates the requirements that must be met by an official letter, also known as a "pismo procesowe." In accordance with the provision, the official letter is to contain the following:

1. It is imperative to ascertain the designation of the authority to which the document is addressed, as well as the specific case that it pertains to.
2. The name and address of the individual submitting the letter, along with the telephone number, fax number, and e-mail address—or a declaration indicating the absence of such information—must be included in the initial letter submitted.
3. In the event that it is deemed necessary, the content of the application or statement must be accompanied by a justification.

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<sup>14</sup> What is important is that information is not official letters, so it is allowed to be delivered in electronic form.

<sup>15</sup> M. Nawrocki, *Informatyzacja procesu karnego*, [in:] *Prawo nowych technologii*, ed. K. Flaga-Gieruszyńska and J. Gołaczyński, Warsaw 2021, pp. 227-238.

4. The document must also include the date and signature of the individual who submitted it.

Pursuant to Article 119 § 2 of the CCP, if an individual is unable to sign, the letter in question must be endorsed by a person duly authorized to act on their behalf, accompanied by a justification for the endorsement. If an individual participating in a procedural act refuses to sign or is unable to submit it, the authority performing the act is obligated to indicate the reason for the absence of signature, as outlined in Article 121 of the CCP.

The CCP also stipulates regulations regarding the delivery of official correspondence<sup>16</sup>. It is imperative to acknowledge the paramount significance of Article 132 in this context. According to § 1 of the article, the letter is to be delivered to the addressee in person. In the context of electronic delivery, § 3 of Article 132 is of paramount importance. According to the provisions outlined in this document, the letter of notification may be delivered via facsimile or electronic mail. In such a case, the proof of delivery is the confirmation of data transmission.

Pursuant to the provisions, several issues have come to the fore. Firstly, it is admissible in the Polish Criminal Procedure to submit an official letter signed by a qualified electronic signature or by a secure profile. Secondly, the prevailing legal framework permits the submission of official correspondence through electronic mail systems.

The initial issue identified—the potential for electronic signatures in official letters submitted during criminal proceedings—remains unresolved within the doctrine. According to the prevailing principles of doctrine and judicature, it is established that an official letter submitted as part of a criminal proceeding is not permitted to be signed by electronic means.

According to M. Żak, the utilization of electronic signatures in criminal proceedings is not impeded by any physical or technical constraints. According to the cited scholar, the obstacles in question may possess solely normative characteristics. Nevertheless, M. Żak indicates that legal frameworks for the use of electronic signatures express provisions of the Act of September 18, 2001 on electronic signatures<sup>17</sup>. It is imperative to note that the legal act was repealed in accordance with the Act of September 5, 2016, which pertains to trust services and electronic identification<sup>18</sup>. The date corresponds to October 7, 2016.

Conversely, the Polish Supreme Court adopts a contrary stance on the matter. As delineated in the resolution of December 20, 2006<sup>19</sup> an appeal may be submitted via facsimile; however, the efficacy of this official document is contingent upon the adherence to the formal requirement of appending a handwritten signature by the individual initiating the action. In the resolution of March 26, 2009, the Supreme Court articulated its position on the procedural implications of electronic document submission. The Court concluded that a party's procedural declaration, transmitted in electronic form and adhering to the stipulations outlined in the Act of September 18, 2001 concerning electronic signatures, does not engender the filing of an appeal. This determination is predicated on the premise that such electronic submission does

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<sup>16</sup> That matter is regulated in chapter 15 „Deliveries” (*doręczenia*).

<sup>17</sup> M. Żak, *Wnoszenie pism drogą elektroniczną oraz elektroniczne doręczenia w procesie karnym*, „Czasopismo Prawa Karnego i Nauk Penalnych” 2010, No. 3, pp. 117-131.

<sup>18</sup> Act of September 5 2016 on trust services and electronic identification (Journal of Laws 2021, item 1797 with amendments).

<sup>19</sup> Resolution of the Supreme Court of December 20, 2006, I KZP 29/06, OSNKW 2007, No. 1, position 1.

not find explicit mention in either the offense procedure or the criminal procedure. In the subsequent segment of the resolution, the Supreme Court observed: "Consequently, if a party submitted an appeal in the form of an electronic document, there are no grounds for invoking this provision to remedy the lack of written form. Any other form of appealing against the judgment used by a party cannot be considered an appeal"<sup>20</sup>. According to the prevailing doctrine, the absence of electronic signatures on official letters can be attributed to the inadequacy of the CCP's regulatory framework concerning electronic signatures. It has been asserted that the provision of the Act of September 5, 2016, concerning trust services and electronic identification, does not constitute a legal foundation for the authorization of the signing of letters in the context of criminal proceedings.<sup>21</sup> M. Kurowski has observed that the opinion articulated by the Supreme Court in its resolution of March 26, 2009 possesses a universal character, extending its application to all documented activities<sup>22</sup>. P. Kardas permits electronic delivery while precluding the use of electronic signatures for official letters. According to the scholar, an official letter submitted to the court via electronic means must be in PDF format and contain a scanned copy of the original letter bearing a handwritten signature<sup>23</sup>.

Following the presentation of the viewpoints, it is imperative to articulate my personal perspective on the matter of the feasibility of utilizing electronic signatures for the purpose of signing official letters within the context of criminal proceedings. The second group's opinion is that approval should be granted on the grounds that, given the present state, it is impossible to sign the aforementioned documents by electronic signature. It is imperative to acknowledge that M. Żak's assertions are not substantiated by the available evidence. Firstly, as stipulated in Article 1 of the Act of September 18, 2001, the legal framework for electronic signatures is delineated, encompassing the conditions for their utilization, the legal ramifications of their implementation, the protocols for the provision of certification services, and the regulatory framework governing entities that offer these services. The subsequent provisions of the aforementioned act do not address the utilization of electronic signatures in criminal proceedings. Consequently, the legal provision under scrutiny did not establish legal guidelines for the utilization of electronic signatures in criminal proceedings. These guidelines delineate the circumstances under which the use of electronic signatures is permissible, the conditions that permit individuals to utilize electronic signatures in criminal proceedings, the procedures for submitting official documents that bear an electronic signature, and the protocols for

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<sup>20</sup> Resolution of the Supreme Court of March 26, 2009, I KZP 39/08, LEX No. 486176. A critical evaluation of the resolution is provided by J. Kisiel, who asserts that the absence of legal regulation does not provide a sufficient, rational, or compelling explanation. The author posits that a functional interpretation of the prevailing legal framework may reach the conclusion that extensive application provisions regulating the matter of delivery can be applied in the event of electronic delivery when the addressee is a court. It is noteworthy that the author does not assert that this is an inevitable conclusion. J. Kisiel, *Electronic service in the Code of Criminal Procedure*, "Palestra" 2021, No. 9, p. 49.

<sup>21</sup> Cf. H. Paluszkiewicz, *Commentary on Article 119 of CCP* [in:] *Kodeks postępowania karnego. Komentarz*, ed. K. Dudka, Warsaw 2020, p. 274.

<sup>22</sup> M. Kurowski, *Commentary on Article 132 of CCP* [in:] *Kodeks postępowania karnego. Komentarz. Tom 1. Artykułu 1-424*, ed. D. Świecki, Warsaw 2020, p. 597.

<sup>23</sup> P. Kardas, *On the methods of legal document filing in the context of temporarily suspended criminal justice system*, "Palestra" 2020, No 3, p. 22.

addressing instances of misuse, unauthorized use, or illegal use of electronic signatures in criminal proceedings. Secondly, the act previously cited by M. Żak has been repealed, thus it cannot serve as the legal foundation for any present or future decision by any organ or other subject. Furthermore, the successor act—the Act of September 5, 2016, on trust services and electronic identification—also fails to establish legal frameworks for the utilization of electronic signatures in criminal proceedings. Therefore, the Supreme Court's position that the provision of CCP (and, moreover, another legal act) does not establish legal frameworks for the potential utilization of electronic signatures in criminal proceedings is indeed correct. Conversely, J. Kimel's assertion is erroneous. The absence of legal provisions that permit the performance of certain actions can serve as a compelling argument in circumstances where such actions are part of other formal situations that engender legal consequences. The aforementioned scenario is presented herein. Secondly, no provision of the CCP provides any rationale for that functional interpretation, thereby allowing the utilization of electronic signatures in criminal proceedings. The functional interpretation, predicated on the assumption that every piece of evidence and every activity of the court and other subjects must be documented in case records, leads to the conclusion that it is impossible to sign documents that must have a printed form with an electronic signature (which is valid only in the case of an electronic file). The cited author's discussion of interpretation is limited to the hypothetical; nevertheless, the interpretation in question is *contra legem*. Consequently, it should be dismissed at the outset of the deliberative process.

In the Polish legal doctrine, the second of arising issues is not obvious. Specifically, two groups of views have been identified: some authors are permitted to submit letters via electronic delivery. According to the perspective of other scholars in the field, the provisions of the CCP do not permit the submission of official letters to courts in this form.

The initial group of authors should be preceded by the presentation of the opinions of P. Kardas. The aforementioned author posits that an official letter ought to be submitted in written form, that is to say, one should express certain statements in the graphic form of letters and sentences. According to P. Kardas, the efficacy of submitting a letter is not contingent upon its physical form, whether printed or electronic.<sup>24</sup> Consequently, an official letter submitted electronically should be regarded as having been submitted in a written form. Furthermore, according to P. Kardas, the term "submitting" should be interpreted broadly. According to the aforementioned scholar, the primary significance of an official letter lies in its legal implications, as stipulated by the provisions of law, rather than its practical consequences. The scholar proffers an opinion that the absence of legal provisions does not constitute an impediment to the electronic delivery of official correspondence by parties to the court. P. Kardas stipulates that the efficacy of submitting an official letter in electronic form is contingent upon the transmission of a PDF file containing a scanned copy of the official letter, accompanied by a handwritten signature. The notification of letter registration by the server, along with the email address of the addressee, is also to be included<sup>25</sup>.

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<sup>24</sup> *Ibidem*, pp. 14-15.

<sup>25</sup> *Ibidem*, pp. 16 and further.

However, the doctrine is not without its detractors, as evidenced by the divergent perspectives that have emerged. As J. Kisiel has observed, Article 132 § 3 (the sole provision that has heretofore regulated the issue of electronic delivery in CCP) can be applied unilaterally: solely to a letter transmitted by the court to the party or another addressee<sup>26</sup>.

It is imperative to acknowledge that both of these perspectives warrant approval. In the context of the prevailing legal framework, it is evident that the prospect of effectuating an electronic delivery to the court or the office of the prosecutor is unfeasible. To facilitate the submission of official letters electronically by relevant parties, it is imperative that the necessary legal provisions be in place. These provisions should delineate the responsibilities of the parties submitting the letters, as well as the duties of the courts and prosecutors' offices in processing such electronically submitted official letters. Legal provisions must also specify requirements and the operational mechanisms for electronic deliveries. The final two fields of regulation are intrinsically linked to the principle of legalism, as articulated in Article 7 of the Constitution of the Republic of Poland.<sup>27</sup> In complex scenarios, there is an absence of legal provisions that establish guidelines for conduct through electronic submission of official letters. P. Kardas endeavors to ascertain the aforementioned legal framework by employing a particular "interpretation of the law" *per analogia*<sup>28</sup>. The initiation of an application under Article 132 § 3 of the CCP in the circumstances delineated herein is deemed both improper and fundamentally erroneous. The provision in question is situated within the section of legal text that pertains to delivery correspondence from the prosecutor or court to a specified individual. The entirety of Article 132 is dedicated to delineating the legal frameworks that govern the process of delivery in the aforementioned circumstances. Furthermore, it is imperative to establish a previously presented argument of functional interpretation that is associated with the necessity of documenting all activities related to proceeding in case records that have a printed form. It must be acknowledged that a counterargument may be posited: namely, that the printing of electronic documents is indeed a possibility. However, due to the requirement of a handwritten signature and a scanned copy of the document, submitted documents are considered mere facsimiles of official letters, not the original documents as defined in Article 119 of the CCP<sup>29</sup>.

This prompts the conclusion that the current provision of CCP does not regulate the electronic signing of official letters or the electronic delivery of documents by parties other than the organ conducting the proceedings. Consequently, the provision does not permit either of these actions. This should be evaluated negatively and treated as a sign of unjustified

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<sup>26</sup> R. Kisiel, *op.cit.*, p. 48. Cf. A. Baworowski, *Doręczenie elektroniczne w toku postępowania przygotowawczego*, „Prokuratura i Prawo” 2007, No. 11, pp. 33-47; H. Mazur, *Deliveries institution in Polish criminal procedure – approaching to 21st century*, „Palestra” 2011, No. 3-4, pp. 109-118 and K. Woźniewski, *Elektroniczne nośniki informacji w postępowania karnym*, „Gdańskie Studia Prawnicze – Przegląd Orzecznictwa” 2007, No. 4, pp. 156-157.

<sup>27</sup> According to the mentioned provision: „The organs of public authority shall function based on, and within the limits of, the law”. The Constitution of the Republic of Poland of April 2, 1997 (Journal of Laws 1997, No. 78, item 483 with amendments).

<sup>28</sup> Specifically, because none of the legal provisions is interpreted, and analogy is searched in effect for nothing.

<sup>29</sup> Of course it should be considered that the issue of legal effectiveness of the copy of document is issue more complex than is presented. However wider analysis of that analysis is beyond the scope of hereby paper, and its resolving is not relevant to elaborate on the issue of legal possibilities of submitting an official letter in electronic form.

obsolescence of criminal proceedings stopped in the mentioned area in the second half of the 1990s.

## **5. The Act on Electronic Deliveries – the issue of submitting official letters in electronic form**

The most significant development in the field was the Act of November 18, 2020, concerning electronic deliveries.<sup>30</sup> According to Article 1 of the Act, the following provisions are specified: 1) the rules for delivering correspondence using the public electronic registered delivery service and the public hybrid service; 2) the principles and conditions for the provision of public electronic registered delivery service and public hybrid service; 3) the rules for using the qualified electronic registered delivery service to exchange correspondence with public entities. This act also makes changes in some legal acts, such as the CCP.

The aforementioned act anticipates the use of electronic delivery as a primary instrument. According to Article 2 of the Act on Electronic Deliveries, the address to which electronic delivery is made is defined as the electronic address stipulated in Article 2 point 1 of the Act of July 18, 2002, on the provision of services by electronic means. This term encompasses an IT system that facilitates communication via electronic means of communication, particularly email. It further specifies an entity that utilizes a public registered electronic delivery service, a public hybrid service, or a qualified registered electronic delivery service, all of which are designed to ensure unambiguous identification of the sender or recipient of data transmitted as part of these services.

The address to which electronic delivery is to be sent is entered into the electronic addresses database. The extent of processing data in the aforementioned database is governed by Article 26 of the Act on Electronic Deliveries. The database contains information such as the name of an entered subject, professional title of attorney, legal advisor, tax advisor, restructuring advisor, notary, or patent attorney (in the case of a natural person with a professional title), its address to traditional correspondence, its address to electronic deliveries, or designation of the provider of a public electronic registered delivery service or a qualified electronic registered delivery service. According to Article 7 Section 1 of the Act on Electronic Deliveries, the act of entering an address for electronic delivery into the electronic address database is tantamount to a request for correspondence to be delivered by public entities to that address. Consequently, the entry into the aforementioned database is necessary for the possibility of electronic deliveries introduced by the aforementioned legal act. Certain subjects are obligated to submit their electronic address for inclusion in an electronic address database. As stipulated in Articles 8 and 9 of the Act on Electronic Deliveries, the subjects in question are considered public<sup>31</sup>.

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<sup>30</sup> Act of 18 November 2020 on electronic deliveries (Journal of Laws 2023, item 285 with amendments), hereinafter: The Act on Electronic Deliveries.

<sup>31</sup> According to Article 2 point 6 of The Act on Electronic Deliveries public subject is: a) a public finance sector unit within the meaning of the provisions of the Act of 27 August 2009 on public finances, b) other than those specified in point and state organizational units without legal personality, c) other than those specified in point and legal persons established for the specific purpose of meeting general needs, not having an industrial or commercial character, if the entities referred to in this provision and in point (a) a and b, individually or jointly, directly or indirectly through another entity: - finance them in more than 50%, or - hold more than half of the shares or shares,

The individual in question is a practicing advocate, attorney-at-law, tax advisor, restructuring advisor, patent attorney, and notary. Furthermore, the individual is a non-public subject entered in the register of entrepreneurs of the National Court Register<sup>32</sup>. The aforementioned information was entered into the Central Register and Information on Business. According to Article 10 of the Act on Electronic Deliveries, other non-public entities may possess an electronic delivery address associated with a public electronic registered delivery service or a qualified electronic registered delivery service. This electronic delivery address must be entered into an electronic address database<sup>33</sup>.

It is imperative to understand that the Act on Electronic Deliveries, as delineated in Article 82, introduces amendments to multiple provisions within the CCP. It is imperative to acknowledge the profound implications of the revised formulation of Article 116 of the CCP (CCP)<sup>34</sup>. According to the amended version of § 1, in the absence of explicit stipulations to the contrary within the Act, the parties and other relevant individuals are permitted to submit declarations, including motions, either in written form or verbally, for inclusion in the official minutes. Accordingly, a declaration submitted electronically is also considered to be a declaration submitted in writing. In accordance with § 2 of Article 116, a declaration submitted electronically must be signed with a qualified electronic signature, a trusted signature, or a personal signature. The declaration is then transmitted to the address designated for electronic delivery, as outlined in Article 2 Section 1 of the Act of November 18, 2020, concerning electronic deliveries, the electronic address database mentioned in Article 25 of the same Act is to be referenced. According to § 3 of the aforementioned article, the expectation was that the declaration submitted electronically would be incorporated into the case records.

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or - supervise the management body, or - have the right to appoint more than half of the supervisory or management body, d) associations of entities referred to in point (a). a-c, if they perform public tasks, e) a court bailiff.

<sup>32</sup> Non-public subject according to Article 2 point 5 of The Act on Electronic Deliveries is a natural person and an entity other than the entity referred to in point 6 (public subject).

<sup>33</sup> As previously stated, electronic address databases amass a substantial amount of data regarding the entered subject. This prompts the question of whether the appropriate use of this electronic delivery service is necessary for databases containing sensitive data, primarily of non-public natural persons, given that most data pertaining to public subjects is already public. On the one hand, the database in question is accessible exclusively to public entities, with the explicit exception of non-public subjects, defined herein as "natural persons." Within the ambit of this database, public entities are permitted to browse and search electronic addresses. The Act on Electronic Deliveries stipulates in Article 60 Sections 2 and 3 that information regarding entry of public subjects is to be made public. Furthermore, a considerable amount of this sensitive data is known by the government and, in some cases, accessible via other public registers. However, there is a possibility of database hacking and data leakage, which could pose a threat to the personal safety of individuals whose data is collected. There is also a possibility of overuse of the aforementioned data by authorized subjects to browse that database. Conversely, there is a possibility that the electronic address of each submitted letter could contain sufficient duty of indication, obviating the necessity for creating an additional database. This solution has the potential to be more economical due to the elimination of superfluous expenses. Furthermore, this approach may prove to be a more efficient solution. The registration process for the database is time-consuming, which has the potential to dissuade non-public and non-professional subjects from utilizing electronic deliveries as stipulated by the Act of Electronic Deliveries. Therefore, the implementation of the aforementioned database should be evaluated negatively. However, a more comprehensive analysis of the presented issues is required, as they exceed the scope of this article.

<sup>34</sup> In the contemporary era, Article 116 is devoid of paragraph divisions. According to the stipulations of this provision, in the absence of an alternative provision by the CCP, the parties and other relevant individuals entitled to participate in the proceedings are permitted to submit applications and other declarations in written or oral form for the minutes.

According to the doctrine, Article 116 stipulates the requisite form for motions and procedural statements by the parties and other authorized persons. The doctrine further stipulates that, in instances where the law does not necessitate their submission in writing, these motions and statements may also be presented orally for the record. Nonetheless, it has been stipulated that particular motions, such as an appeal, must be submitted in written form. Furthermore, if the law stipulates a written form for a specific application or procedural declaration, it should, in addition to the formal conditions of each procedural document (Article 119 § 1 of the CCP), meet the requirements specific to a given application or declaration<sup>35</sup>. Therefore, the amendment of this provision enables the submission of an official letter through the ICT system (electronic delivery). Additionally, Article 116 § 2 of the CCP introduces the possibility of signing an official letter submitted via the ICT system with an electronic signature, which is a positive aspect of the presented regulations.

According to Article 119 of the CCP, the following information is to be included as an obligatory element of an official letter: the name and address of the person submitting the letter, as well as, in the first letter submitted, the name and address of the intended recipient. The individual submitting the letter must declare that they are a non-public entity, as defined in Article 2, point 5 of the Act of November 18, 2020 on electronic deliveries. This declaration must include consent to deliver deliveries to the specified address for electronic deliveries. Additionally, the individual must indicate whether they possess the aforementioned address or whether they lack consent, unless they have previously submitted such a declaration in these proceedings. The declaration must also include the individual's telephone number, fax number, and email address, or a declaration of their non-possession of these details.

A significant portion of the aforementioned act was implemented on October 5, 2021. Notwithstanding, the provisions amending the CCP will be implemented in part on October 1, 2028, and in full on October 1, 2029. The setting time for the aforementioned provisions of the Act on Electronic Deliveries should be evaluated negatively. This term can be justified by the opinion that the implementation of the entire system of electronic deliveries to criminal procedure requires time. However, provisions of The Act on Electronic Deliveries are also bringing changes to electronic deliveries in other legal procedures that require the implementation of new systems and generate costs, and these changes are currently in force. Moreover, as technology continues to advance and electronic communication becomes increasingly prevalent, it will become more difficult to submit official letters in criminal proceedings and to sign these letters using electronic signatures. This will pose a greater challenge, especially for non-professional participants. While non-professional participants should possess a fundamental understanding of the law, it would be unreasonable to expect them to be intimately familiar with every legal provision, particularly considering the inconsistencies that are present in Polish procedures. If a citizen can submit an official letter through the ICT system to the civil court or ePUAP (a website for contacting certain offices), it is recommended that the same letter be submitted electronically to the criminal court as well. The rationale behind the criminal court's refusal to accept it remains opaque to them. Given the

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<sup>35</sup> Z. Pachowicz, *Commentary on Article 116 of the CCP* [in:] *Kodeks postępowania karnego. Komentarz*, ed. J. Skorupka, Warsaw 2025, p. 307.

array of presented arguments, it is recommended that the implementation of these regulations be expedited, with a projected timeframe of under five years.

Nevertheless, the implementation of the new CCP provision is not without its own set of concerns. Specifically, the necessity of implementing electronic deliveries in criminal proceedings is being examined, as well as the feasibility of employing electronic signatures to create new IT systems for the purpose of signing official letters. It should be noted that, in the context of civil proceedings, the use of electronic signatures has become increasingly prevalent. This method of signing official letters and submitting them to the court via the ICT system is a testament to the advancements in technology and the ease of electronic communication. In select Polish public offices, the ePUAP platform facilitates the delivery of correspondence. Accordingly, the Polish legal system has already established solutions for electronic delivery that can be implemented in criminal proceedings without significant modifications, or with only minimal modifications, in cases where there is a lack of correspondence to the essence of criminal procedure. The utilization of existing solutions has the potential to reduce the financial burden associated with the implementation of electronic deliveries to criminal procedures. Furthermore, the stability of existing tools, which have been in use for several years, surpasses that of the most recent tools. It is evident that the establishment of an entirely novel and distinct system, as envisioned by the Polish legislator, is indeed a possibility. However, this approach entails a significant increase in the financial resources required for the initial setup and ongoing maintenance of the system. As correctly observed by R. Kuśpiel, the ultimate resolution for electronic delivery in criminal proceedings is yet to be formulated<sup>36</sup>. Consequently, both the legal and technical aspects remain to be elucidated. It is inevitable that the inherent drawbacks of the planned ICT system will become evident after technical errors or practical challenges in implementing these legal regulations. The resolution of technical issues and the mitigation of legal concerns can be time-consuming processes. Consequently, users of these solutions may be disincentivized from their utilization due to their perception that the ICT system will be unstable, unpredictable, and unreliable. It is therefore recommended that new tools of communication be created, as well as that existing forms of communication be introduced to criminal proceedings. This would facilitate contact with procedural organs, especially for non-professional participants.

## 6. The amending of CCP from 2025

It should be noted that in 2025, a new legal provision will be introduced. This provision will pertain to the submission of official correspondence via ICT systems. The specific legislation under review is the Act of July 9, 2025 amending the Act – Code of Criminal Procedure and certain other acts<sup>37</sup>.

Under Article 116a § 1 of CCP: “If the law says so, you can submit documents by posting them on the information portal mentioned in Article 53e § 1 of the Act of July 27, 2001. – Law on the System of Common Courts (Journal of Laws of 2024, items 334 and 1907, and of

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<sup>36</sup> R. Kuśpiel, *op.cit.*, p. 145.

<sup>37</sup> Act of July 9, 2025 amending the Act – Code of Criminal Procedure and certain other acts (Journal of Laws 2025, item 1178).

2025, items 526, 820, 1172 and 1178), hereinafter referred to as the "information portal," in a manner that allows the person submitting the document to obtain an electronic document confirming that the document has been submitted to the court". Prior to § 2 of Article 116a: "Documents submitted via the information portal shall be included in the case file".

The provision enables the submission of pledges via the Information Portal by a prosecutor, defense attorney, or representative who is an attorney or attorney-at-law, or by the General Prosecutor's Office of the Republic of Poland. This notion encompasses the delivery of the sentence accompanied by its written justification, as stipulated in Article 422 § 1a of the Code of CCP, as well as the submission of an appeal, a response to the appeal, and further correspondence during the appeal proceedings, as outlined in Article 428 § 3. It is imperative to note that the delivery of the official court document to the designated entities will be facilitated through the Information Portal *ex officio*. This procedure is stipulated in Article 428 § 3 of the CCP. The legislator anticipates that official letters will be delivered to other entities that have opted for this method of delivery by placing their content on an information portal. This portal will allow the sender and recipient to obtain a document confirming delivery (Article 133a § 1 of the CCP)<sup>38</sup>. It is imperative to note that non-professional parties may receive court correspondence exclusively in this manner. Therefore, the capacity for non-professional entities to utilize the Information Portal is characterized as passive.

The aforementioned provisions are scheduled to be implemented in their entirety on March 1, 2026. However, the revision of Article 133a § 1 of the Code of Civil Procedure (CCP) and the establishment of Article 133a § 1a of the CCP are set to take effect on July 1, 2026.

The regulations presented have been met with a favorable reception, as evidenced by the generally positive evaluations. Nevertheless, the principal disadvantage of that regulation is the inability to pledge appeals by unprofessional parties. It is imperative to note that the account in the Information Portal may be registered by any citizen, not exclusively by individuals who are engaged in professional activities. Therefore, it is imperative that such imposing appeals be made available to all parties involved in the proceedings. Furthermore, it should be noted that the Information Portal may potentially replace the ICT system that has been previously developed. The portal would serve to transmit all official correspondence to the court on behalf of each respective entity.

## 7. Conclusion and *de lege ferenda* proposals

The digitalization of the Polish criminal procedure is a continuous and developmental process. The advent of technology, particularly artificial intelligence, is poised to transform legal frameworks governing specific court proceedings.

As demonstrated in this article, the Polish legislator has made significant progress in the digitalization of criminal proceedings in Poland. However, it must be noted that the present

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<sup>38</sup> The party must pledge statement regarding choosing such form of delivery as well as withdrawing it via Information Portal (Article 133a § 1a of the CCP). Moreover, prior to Article 133a § 2 of the CCP the court may serve a pleading or other document in the manner specified in § 1 if it has it in electronic form. This does not apply to documents that are to be served together with copies of the parties' pleadings or other documents not originating from the court, unless they have been submitted by posting their content on the information portal pursuant to Article 428 § 3.

stage of this process has not yet met the requisite standards for acceptance. In the contemporary era, characterized by accelerated technological advancement, particularly in the domains of artificial intelligence and deepfake technology, the necessity for regulatory oversight has become increasingly pronounced. This imperative has been further accentuated by the expectation among legislators of electronic deliveries and signatures, particularly in administrative and civil proceedings.

A favorable evaluation of the legislature's endeavors in the Act on Electronic Deliveries is merited. The legislature demonstrated a commendable attempt to address the absence of criminal procedures. However, this endeavor can be regarded as only a partial success. The implementation of the recently introduced regulations has been postponed, and the act of submitting an official letter in electronic form for non-professional subjects is anticipated to present certain challenges. This may result in a diminution of the adoption of this method of delivery and signature.

The Act of July 9, 2025, which amended the Act – Code of Criminal Procedure and certain other acts, represents a significant advancement in the direction of digitalizing criminal proceedings. Nevertheless, the possibility of submitting appeals should be available for all parties, not only for professionals.

In summary, the following postulates are presented in accordance with the *de lege ferenda* approach:

1. The Act on Electronic Deliveries should be implemented more expeditiously. This is particularly relevant in the context of the amendments to the CCP.
2. The present study explores the integration of an ICT system into criminal proceedings, the application of ICT systems in civil procedure, and the feasibility of submitting official letters to the court and prosecutor office via ePUAP.
3. It is imperative to deliberate on the implementation regulations that permit the transmission of official correspondence in electronic form, thereby obviating the prerequisite of registering electronic addresses within the electronic addresses database.
4. The provision has been established for non-professional parties to submit electronic correspondence via the Information Portal.

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