

Subject card

Subject name and code	Civil law in action: cases, precedents, argumentation - lecture, PG_00208428						
Field of study	Law						
Date of commencement of studies	October 2026		Academic year of realisation of subject		2026/2027		
Education level	uniform Master's studies		Subject group		Optional subject group		
Mode of study	full-time studies		Mode of delivery		e-learning		
Year of study	1		Language of instruction		Polish		
Semester of study	2		ECTS credits		1.0		
Learning profile	academic		Assessment form		credit		
Conducting unit	Laboratory of Insurance Law -> Katedra Prawa Cywilnego i Tradycji Prawnej -> Faculty of Law and Administration -> Rector						
Name and surname of lecturer (lecturers)	Subject supervisor		dr Dawid Rogoziński				
	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: 15.0						
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		2.0		8.0	25
Subject objectives	The course aims to deepen students' knowledge and develop their practical skills in the application of civil law through the analysis of legal cases, judicial decisions and methods of legal reasoning. The course combines a doctrinal and practical perspective, demonstrating how a legal practitioner proceeds from establishing the relevant facts, through identifying and interpreting applicable legal rules, to formulating and justifying a legal solution. In particular, the course aims to: deepen students' knowledge of the principles and institutions of substantive civil law; develop the ability to interpret civil-law provisions in the context of specific factual situations; develop the ability to analyse and critically assess judicial decisions; familiarise students with the role of precedent and judicial lines of authority in legal reasoning; develop the ability to identify legal problems and formulate possible solutions; improve legal reasoning based on statutory provisions, legal principles, case law and legal scholarship; develop the ability to formulate coherent and properly justified legal positions and foster a critical approach to the interpretation and application of law and an awareness of the limits of legal reasoning.						

Learning outcomes	Course outcome	Subject outcome	Method of verification
	[PRAWOJ5_W07] has an in-depth knowledge of law-making, interpretation and application processes, both international and national, substantive and procedural, private and public law	Upon completion of the course, the student characterises the principal mechanisms of interpretation and application of civil-law rules; understands the relationship between a legal provision, its interpretation, the factual circumstances and the legal decision; knows the principal methods and directives of legal interpretation and understands their relevance to solving civil-law problems; understands the significance of judicial decisions, including decisions of the Supreme Court and the Court of Justice of the European Union, for the interpretation and application of law; knows the principal types of legal arguments and the basic principles governing their construction and assessment; understands the role of legal principles, general clauses and legal scholarship in resolving civil-law disputes.	[SW4] test/exam - oral or written [SW1] oral statement/conversation/discussion [SW3] text preparation/written work [SW5] implementation of a problem task
	[PRAWOJ5_K02] thinks critically and is prepared to solve specific legal problems	Upon completion of the course, the student critically analyses factual circumstances and identifies legally relevant facts; identifies legal problems and possible approaches to their resolution; recognises arguments supporting competing legal positions and assesses their relative strength; analyses and critically evaluates the reasoning contained in judicial decisions; solves civil-law cases using statutory provisions, legal principles, case law and legal scholarship; anticipates potential counterarguments and responds to them in a substantive and logically coherent manner; formulates an independent legal position and is able to justify it.	[SK1] oral statement/conversation/discussion [SK3] text preparation/written work [SK4] test/exam - oral or written [SK5] implementation of a problem task [SK6] demonstration of practical skills [SK8] observation of student's independent or team work

Subject contents	• Civil law in practice – from a legal provision to a legal decision. The case method and identification of legal issues. • Facts and their legal qualification. Distinguishing legally relevant facts from irrelevant facts. • Interpretation of civil law. Linguistic, systemic, functional and purposive interpretation. • Limits of legal interpretation. The significance of statutory text, legislative purpose and legal principles. • Legal reasoning in civil law. Arguments based on legislation, legal systems, regulatory purposes, case law and legal scholarship. • General clauses and principles of civil law. Good faith, principles of social coexistence and the socio-economic purpose of rights. • Precedent and judicial decisions in civil law. The role of precedent in a continental legal system. • Judicial lines of authority and conflicting case law. Working with competing judicial approaches. • The legal case as a method of legal analysis. Stages of solving a legal case and constructing a legal answer. • Law of obligations in practice. Contractual and tortious liability in specific factual contexts. • Interpretation and performance of contracts. Declarations of intent, contractual interpretation and the parties' duties of cooperation. • Civil liability for damages. Loss, causation, unlawfulness, fault and the conditions of liability. • Abuse of rights. Article 5 of the Polish Civil Code as an instrument of legal reasoning in difficult cases. • Personality rights and their protection. Conflicts of rights and interests and the balancing of competing arguments. • Property law and protection of proprietary rights. Resolving conflicts between competing legal entitlements. • Succession law in practice. Interpretation of wills, intestate succession and protection of entitled persons. • Consumer law in civil disputes. Conflicts between business and consumer interests and the significance of EU law. • National and EU case law in civil matters. Using judicial decisions as a source of legal reasoning. • Arguments for and against. Constructing competing legal positions and analysing counterarguments. • Hard cases and conflicts of principles. Justifying decisions where the law does not provide an obvious answer. • Fallacies in legal reasoning. Logical errors, superficial arguments and improper use of case law. • Legal case-solving strategy. From identifying the legal issue to preparing a structured legal opinion. • Precedent and case law. Comparative approaches to the use of judicial decisions in different legal cultures. • Legal reasoning workshop. Constructing, organising and defending a legal position.														
Prerequisites and co-requisites															
Assessment methods and criteria	<table><tr><th>Subject passing criteria</th><th>Passing threshold</th><th>Percentage of the final grade</th></tr><tr><td>final exam</td><td>51.0%</td><td>75.0%</td></tr><tr><td>activity</td><td>51.0%</td><td>15.0%</td></tr><tr><td>written paper</td><td>51.0%</td><td>10.0%</td></tr></table>	Subject passing criteria	Passing threshold	Percentage of the final grade	final exam	51.0%	75.0%	activity	51.0%	15.0%	written paper	51.0%	10.0%		
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Recommended reading	Basic literature	• E. Gniewek, P. Machnikowski (eds.), Kodeks cywilny. Komentarz [Civil Code. Commentary], C.H. Beck, Warsaw, current edition. • K. Pietrzykowski (ed.), Kodeks cywilny. Komentarz [Civil Code. Commentary], C.H. Beck, Warsaw, current edition. • D. Rogoziński, Metodyka pracy pełnomocnika w sprawach kredytów waloryzowanych [Methodology of Legal Representation in Disputes Concerning Indexed and Foreign-Currency-Linked Loans], Wolters Kluwer, Warsaw 2026. • M. Zieliński, Wykładnia prawa. Zasady – reguły – wskazówki [Legal Interpretation. Principles – Rules – Guidelines], Wolters Kluwer, Warsaw. • Selected and current judgments of the Polish Supreme Court, courts of general jurisdiction and the Court of Justice of the European Union concerning the civil-law institutions discussed during the course.													
	Supplementary literature	• J. Stelmach, B. Brożek, Metody prawnicze [Legal Methods], Wolters Kluwer, Warsaw. • L. Leszczyński, B. Liżewski, A. Szot (eds.), Precedens sądowy w polskim porządku prawnym [Judicial Precedent in the Polish Legal Order], C.H. Beck, Warsaw 2018. • N. McCormick, R. S. Summers (eds.), Interpreting Statutes: A Comparative Study, Ashgate. • N. McCormick, Rhetoric and the Rule of Law: A Theory of Legal Reasoning, Oxford University Press. • R. Alexy, A Theory of Legal Argumentation: The Theory of Rational Discourse as Theory of Legal Justification, Oxford University Press. • R. Dworkin, Law's Empire, Harvard University Press. • Selected current case comments and academic analyses concerning recent judgments of the Polish Supreme Court, Constitutional Tribunal and the Court of Justice of the European Union.													
	eResources addresses														
Example issues/ example questions/ tasks being completed															
Work placement	Not applicable														

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