

## **"Assessor in Canon Law"**

### **Summary of the dissertation**

In the presented doctoral dissertation, the subject of the function of an assessor in canon law and an attempt to answer the questions about the nature of the assessor's work, what powers he has and how his proper cooperation with other offices in the ecclesiastical judiciary should look like. The issues raised focus on whether the assessor's participation is beneficial for obtaining a fairer decision and whether the assessors protect the judge against subjectivism when issuing a decision. In addition, the subject of scientific research is the method of operation of the assessor and what actions he should take depending on the type of canonical process, whether his participation is beneficial or unnecessary in the process, or even prohibited by law.

According to the current legal solutions, an assessor can function in all canonical processes conducted by a single judge. In the *processus brevior* and in the criminal trial, where the proceedings are to be conducted by extrajudicial decree, there is a legal obligation for the assessor to participate in the trial. The assessor plays a subordinate role towards the judge, whom he or she supports with advice and experience. The support provided by the assessor to the judge in seeking to achieve moral certainty and discovering the material truth during the trial is extremely important. Pope Francis' reform of the matrimonial process also recognized the importance of the assessor's function, and therefore it was mandated that the bishop and the assessor be consulted before sentencing. There are questions about how the assessor is to function in the newly introduced *processus brevior coram Episcopo*.

The work consists of three chapters. The first chapter deals with the development and origin of the concept of assessor and includes a comparison to the assessor in Polish law. The second chapter deals with the ancillary role of the assessor towards the judge and the diocesan bishop when he acts as a judge. The last chapter deals with the assessor's participation in individual canonical processes. It contains a discussion, based on various types of canonical processes that can be conducted, what rights the assessor has in a given type of proceedings.