

Mini Review

Nurse as a court expert in Poland

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Introduction

The nurse in Poland may have a secondary level of education (secondary school or post-secondary) or high level (BSc and MSc). She can have a specialization of one the parts of medicine. After the MSc studies she can take the doctor's degree. But we must take as a fact that with the high level of education and specialization she can be the Court Expert i.e. in nursing anesthesiology, intensive therapy, nursing first aid, palliative medicine as well as in many other cases. As about nursing we should remember that woman and man can practice this specific profession [1].

Court expert

Life and health are goods protected by the law. Due to the increasing awareness of the public, the risk of injured parties being brought to court or reports to the prosecutor's office about the possibility of crime being committed by medical personnel is increasing. In brief all aspects of court expert function's were describe, which can be performed by the nurse with high level of education [2]. The status of court experts is under the Polish law regulations [3]. The Court Experts are appointed by the President of the one of the District Courts [4]. The Civil Code Procedure (in Poland) don't defined the definition of the Court Expert and its qualifications - the Court summon the expert to do the opinion - so that means that the expert is the people, who have the high level of knowledge and skill in her/his sphere. There are no relationship between sides of process - the court appoint the expert from the list or in the only one lawsuit (the Court Expert ad hoc) and the salary for the opinion is payable by the court - the lose side of the process must pay all court taxes including the expert taxes [5]. In the Criminal Code Procedure the expert is defined as the people, who have the above of average of knowledge in her/his qualifications [6].

The subject of the expertise is the own opinion about the case which is under the court [7]. The expert write not what she/he saw but what arise from the occur or how must be the act up to the principles of knowledge. So, the opinion is the result of her/his theoretical and practical knowledge and experience. The form of the opinion may be written opinion

More Information

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Submitted: November 17, 2020

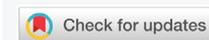
Approved: December 12, 2020

Published: December 14, 2020

How to cite this article: Szozda R. Nurse as a court expert in Poland. Clin J Nurs Care Pract. 2020; 4: 045-046.

DOI: 10.29328/journal.cjnncp.1001027

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or orally opinion. In situation, that there are doubt of the opinion or sides have reproach something to opinion - the court can charge the written or the orally supplementary opinion on the court case [8,9]. There are no obligation for the Court Expert to became always to the court case [10].

Summary

The intention of that article was to signal for all especially for nurses and other health care workers the problem which is a main problem of court experts (nurses) work.

There are no many nurses working as Court Experts in Poland but there are many necessity to doing the opinions because there are many problems which may be decided the questions to the nurses working as the Court Experts and maybe that will be the future (not only in Poland).

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