There comes a moment in each person's life when he or she gets to experience, to a smaller or greater extent, the institutional face of the judiciary. He or she may become a party, a witness, a member of the audience, a juror, etc. Regardless of what capacity a person serves in proceedings, they enter the door of the courthouse with a certain belief of their own as to what is equitable, and what is not. People have different views on the concept of equity, and virtually every attempt at specifying its meaning reveals involvement in some form of ideology and reflects discriminating in favour of certain attitudes as opposed to others. That said, despite this subjective perception of equity, it is important that each citizen standing before court expects the decision issued by the court to be equitable. From the perspective of a participant in court proceedings, and above all – taking into account the principle of the democratic state under the rule of law – it becomes crucial how the concept of equity is understood in the system of law: both in theory and in judicial decisions.

It has been repeatedly stressed, ever since the ancient times, that law must be equitable. Equity should be realized both in the law-making activity (in the creation of law), and in the exercise of judicial functions (the application of law). Each mature legal system has certain methods of application of law based on the concept of equity, however difficulties involved in determination of the meaning of the term "equity" may in many cases make it impossible to indicate what in a specific system of law is treated as "equity". Furthermore, how equity is understood in a specific legal system, depends, without a doubt, on socio-historical factors and belonging to a specific type of legal system (continental or the common law, characteristic of the English-speaking countries).

In order to solve the problem presented above, the author will characterize the most popular equity theories existing in literature and will classify them using a previously adopted typology. Empirical analyses of case-law in civil cases in Poland, Germany and England will make it possible to determine how equity is construed by courts in the respective legal systems. Comparison of the results thus obtained will help to establish which of the concepts of equity described in literature are actually applied in case-law of courts and to what extent (if any) judicial practice corresponds with how theoreticians construe this notion. Ways of understanding of equity, as reconstructed in the Polish law, will be compared with their equivalents found in the legal systems of the other countries.

The results of the research will contribute to the discussion on equity – an issue that, to this day, has not been a subject of in-depth legal and social analyses. Furthermore, a comparative analysis of the ways of understanding and of the roles that equity plays in the respective national case-law (Polish, German and English) – another issue that has not been raised in the discourse yet – will bring new insights into the science of law. The issue in question is of great importance for each person who may come into conflict with the law. How courts in civil cases understand the notion of equity translates into how they interpret provisions referring to this category and, what follows, how they rule in a specific case. Therefore, the research findings may not only prove important for the scientific and public discourse, but may also be useful for citizens who are not legal professions, but who have contact with institutions that enforce it.