

To the members of the scientific jury,
determined by Order № 109-158 / 14.04.2022
of the Rector of the Medical University - Varna

S TANOVICHTE

from Prof. IVAN RUSCHEV, Doctor of Law,
Department of Civil Law, Faculty of Law,
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Corresponding Member of BAS

on the competition for the academic position " Associate Professor" in the scientific specialty: "Forensic Psychiatry", professional field 7.1. Healthcare and sports

Dear colleagues,

As a member of the Scientific Jury, determined by Order № 109-158 / 14.04.2022 of the Rector of MU-Varna, for conducting a competition for the academic position "Associate Professor" in the scientific specialty: "Forensic Psychiatry", professional field 7.1. Healthcare and sports, for the needs of the Department of Psychiatry and Medical Psychology at the Faculty of Medicine of the Medical University "Prof. Dr. Paraskev Stoyanov" and the First Psychiatric Clinic at the University Hospital " St. Marina " E AD-Varna, announced in the State Gazette, no. 14 / 18.02.2022, I was assigned to prepare an opinion

In the mentioned competition as the only candidate admitted to participate is Ch. Assistant Professor Dr. Adelina Boyanovna Djordjanova , dm from MU - Varna, Department of Psychiatry and Medical Psychology at the Faculty of Medicine of the Medical University "Prof. Dr. Paraskev Stoyanov" and the First Psychiatric Clinic of the University Hospital " St. Marina " E AD-Varna.

I. ANALYSIS OF THE CANDIDATE'S CAREER PROFILE

Education, qualification and professional development:

The candidate Dr. Adelina Djordjanova , MD has a master's degree in medicine (1988-1995) (diploma № 005073/1995 from MU-Varna), after which she successively acquired a specialty in psychiatry (diploma № 009874 / 20.06.2005 from MU-Varna), and a specialty in forensic psychiatry (diploma № 016159 / 30.06.2011) . from MU-Varna). In the period 2013-2016. was a doctoral student in independent training at the Department of Psychiatry and Medical Psychology at the Ministry of Finance of MU - Varna on the topic: *"Analysis of forensic psychiatric and forensic psychological examinations in civil proceedings on the list of the District Court - Varna, for the period from 2007 to 2012. "*

In 2016 has successfully defended her dissertation in the same department and acquired the ONS " **Doctor**" in the scientific specialty: psychiatry (forensic psychiatry) - diploma №

151/20/05/2016 from MU-Varna. Through In 2018 she conducted training on the topic: *Innovations in Science: Challenges of Modernity* , at VFU "Chernorizets Hrabar" - Varna, and in 2019 specialized training on the topic: " *Alcohol use and dependence*" at MU - Varna

Work experience and professional commitments: Until the expiration of the competition (as of 16.03.20 22) the candidate has a total professional work experience of 16 years, 8 months and 26 days and teaching experience on the same date - 2 academic years as a part-time lecturer and 4 years, 5 months and 12 days - as a senior assistant.

Academic and teaching activities: Like part-time lecturer in the Department of Psychiatry and Medical Psychology at MU-Varna, in the academic years 2011/2012 and 2016/2017 Dr. A. Djordjanova taught 5th year students the discipline of psychiatry, and after acquiring ONS " **Doctor** " And her election as a senior assistant in the same department, in the period from 2017 to 2022 she taught psychiatry and medical psychology to students of medicine, dentistry at MU - Varna and at her Medical College. From 2005 to 2019 she was an expert at the District Court - Varna with participation in many forensic examinations: both individually and in complexes, combined and others. expertise. Since 2011 and currently works as a forensic psychiatrist at the First Psychiatric Clinic at the University Hospital "St. Marina" - Varna. Since 2017, when she was elected Chief Assistant in Psychiatry at the Department of Psychiatry and Medical Psychology at MU-Varna, she is also the administrative head of the same clinic.

Study workload: From the presented reference for the study workload it can be seen that for the presented two school years (2011/2012 and 2016/2017) as a part-time assistant her total workload was 61 hours. In the 2017/2018 school year, its workload amounted to 232 hours; in 2018/2019 - 268 hours; in 2019/2020 - 231 hours and for the academic year 2020/2021. - 197 hours (with a standard for non-habilitated teachers - 220 hours per year) . In 2017, Dr. Djordjanova , MD gave a lecture series on forensic psychiatry to students in the same specialty.

II. GENERAL DESCRIPTION OF THE MATERIALS PRESENTED IN THE COMPETITION

Apart from the dissertation, which has already been reviewed in a previous competition (and should be noted) , the scientific publications that the candidate presents in this competition are: **a habilitation paper** published as a monograph "*Forensic Psychiatric Expertise in Civil Procedure*" ; **2 pcs.** full-text publications in scientific journals, which are referenced and indexed in world-famous databases of scientific information; **7 pcs.** full-text publications in peer-reviewed journals not referenced in world-renowned databases; **independent section on forensic psychiatry, part of a textbook on psychiatry.** **Dr. Djordjanova** also **presents 9** participations in scientific forums - congresses and conferences, three of which are abroad and 5 are in English and Russian. Five of the publications are self-written.

None of them repeats the ones presented for the acquisition of ONK "Doctor". The candidate also participates as an expert researcher in the team of a project funded by the Science Fund of MU- *Varna* , on the topic : *and bipolar disorder . "*

The submitted documents of the candidate for the academic position "Associate Professor" fully comply with the requirements of ZRASRB, the Regulations for its implementation, the Regulations for the development of the academic staff of MU - Varna. This conclusion is supported by the attached relevant evidence.

III. EVALUATION OF THE PUBLICATIONS SUBMITTED FOR PARTICIPATION IN THE COMPETITION

1. Habilitation work

The monograph " Forensic Psychiatric Expertise in Civil Procedure" , Kors , Varna, 2021, ISBN 978-619-7486-08-7 , has a volume of 333 pages, illustrated with 18 figures. The literature used includes 156 sources. In structural terms, the monograph includes in addition to the reviews of Prof. Dr. P. Mincheva, MD and Prof. M. Valkanova, PhD in Law, also a preface, introduction and three chapters, conclusion, bibliography. For completeness and illustration, the paper describes seven illustrative examinations with the court decisions issued in connection with them.

Scientific innovation, solving a significant scientific problem and contributions ,

The monograph is a comprehensive study - from a legal and medical (psychiatric) point of view and is devoted to legal and forensic issues, which is of interest to both legal and medical science and practicing physicians and lawyers. This study is a **scientific novelty** , because forensic psychiatric expertise is of **particular importance** in various proceedings covered by civil proceedings. The complex nature of the research has enabled the author to trace this type of expertise in all its projections, prerequisites, possible conclusions, ways of influencing the free judge's opinion. The object of study has always been **very important** , and the recent increase in cases of mental disorders, the consequences of which reach the court in the phase of judicial search, shows its **relevance** . Just one example is enough to justify my conclusion: the answer to the **question on item № 5/2020 of OSGTK of SAC** - null and void is the contract concluded by an able-bodied person, if he was in a state of permanent inability to understand or direct the actions. **could be given precisely by forensic psychiatric expertise in civil proceedings to determine whether the incapacity is permanent (in which case the contract would be void) or temporary (in which case it would be destructible)** , and the legal consequences in each of the two cases would be radically different.

Specific for the development is that they are analyzed in their entirety undeveloped or limited research problems in forensic psychiatric and legal theory. Based on his research, the author highlights the need to create a unified system of forensic psychiatric knowledge and to adapt the legislation regarding psychiatric expertise in accordance with expert practice.

Structurally, **almost all major scientific and practical problems** that arise in forensic psychiatric examination in civil proceedings are covered.

The monograph presents the forensic psychiatric problems in connection with the main legal categories of civil law related to the legal status of the individual - legal capacity, legal capacity and incapacity, full and limited incapacity, and the peculiarities of forensic psychiatric expertise in civil proceedings.

Chapter one presents a historical overview of the emergence and development of legislation related to mental illness in the context of legal capacity in civil law: basic legal

concepts applicable in civil proceedings, such as the qualities of legal personality - legal capacity, capacity and incapacity. (One could, of course, make the note that stricto sense legal capacity is not affected by the lack of legal capacity, as it is acquired from the moment of birth and is inherent in every natural person born alive, whether or not it is viable - a rg . a contrario of block 2 of the Law, which requires viability only as a prerequisite for hereditary capacity. Therefore, the legal capacity, as accepted by the author, could not be the subject of forensic psychiatric examination, as it is presumed irrefutably) . The institute of placement under guardianship is also considered, as well as the essence of the forensic psychiatric examination in the civil process. Particularly valuable from the point of view of civil law and process is **the original attempt** to distinguish between the concepts of legal capacity, tort (widely used in various branches of civil law - bond, family, inheritance, its common part) and fundamental for criminal responsibility category - sanity. These **theoretical problems** , on which the author takes a stand, are still the subject of scientific debate in the civil and penal literature.

Chapter Two - which is *the core of the monographic work* , presents the practical and applied problems of forensic psychiatric examination in many proceedings in civil proceedings and key figures in civil law in the following : the procedure for placement under guardianship; when concluding legal transactions and contracts; in the assessment of testamentary suitability; for the responsibility of the state and the municipalities for damages caused to citizens and individuals, in case of divorce and of mental fitness for exercising parental rights, etc. An expression of **serious critical attitude** on the part of the author is the indication of the risk that diagnostic assessments in the process of treatment will not always be useful for current expert assessment. Definitely **of a contributory nature** is the important recommendation for the expert to limit with a reasonable conclusion the extent to which a certain disease affects (or may affect) the behavior of a particular person in deciding on property issues. The scientific contributions to the work are reinforced by the fact that for the first time in our country the problems and the reasons leading to the non-acceptance of some of the forensic psychiatric examinations by the court have been studied.

Of particular importance is the analyzed **rich case law** , which contains the monograph, as a result of many years of expert experience of the author.

In the third chapter "Forensic psychiatric expertise in civil law - past, present and future" Dr. Djordjanova **presents the summarized results of his original research by examining practical cases from practice** for a period of five years. The completeness and completeness of the exposition is ensured by the numerous empirical data and graphs that help and support the respective conclusions of the author. A **timely proposal was made** to optimize the number of cases in civil proceedings through consultations in the structure of the expertise itself, to be included in the Ordinance on the terms and conditions for forensic, forensic psychiatric and forensic psychological examinations.

In this sense, the monograph "*Forensic Psychiatric Expertise in Civil Procedure*" is a **valuable scientific work** , which in addition to **contributions to the doctrine**, on the one hand **benefits the practice of doctors and lawyers** , and on the other is intended to **train doctors, psychiatrists, forensic psychiatrists, clinical psychologists, students of medicine and law** , as well as all those interested in forensic psychiatric expertise in civil law.

The style is emphatically scientific, the candidate uses well-established terminology, the **controversy** with those of other authors, where it exists, is conducted correctly, argumentatively, with respect for other people's statements.

The monographic research has a **high scientific and practical value**, there are reasoned conclusions, analyzes and proposals that certainly enrich medical and legal theory and practice, not only in our country.

2. The other publications submitted for review of the candidate address **various current issues of forensic psychiatric examination**: the peculiarities of outpatient examination and the difficulties in preparing posthumous forensic psychiatric examinations in civil proceedings, where the expert opinion is particularly complex due to the absence of the subject. The second publication, examining the expertise in a civil case of motor aphasia at the seller at the time of the transfer of ownership of real estate, is particularly important in resolving the more general question of whether the law should abolish full interdiction in all cases or only in cases of sensory aphasia. The following publication substantiates the conclusion that the lack of clear clinical criteria for incapacity for individual mental illnesses often leads to incorrect forensic psychiatric conclusions, on which the further fate of the certified may depend. The conclusions on diagnostic assessments leading to incapacity or limited legal capacity and their relationship with the parameters of forensic psychiatric examination and expert assessment, as well as the proposals made by the candidate on the influence of subjectivity on the results of psychiatric assessments should be highly appreciated. Justifies that the way to overcome it is to increase objectivity through the application of standardized procedures.

The scientific papers presented at this competition are in the range of two main areas: forensic psychiatry and research in the field of psychology. To them I would add **their contribution to the enrichment of the legal literature**, giving valuable arguments, e.g. in the heated debate "for" or "against" the abolition of total interdiction (which has been proposed for many years with a bill to replace it with so-called support measures). **The most valuable quality of the candidate's publications**, which justifies their high scientific and applied value, I see in the fact that her research work is based largely on her immediate diagnostic and treatment clinical activities as a psychiatrist and forensic expert. psychiatrist on various cases in civil proceedings.

IV. REFLECTIONS (QUOTATION) OF THE CANDIDATE'S PUBLICATIONS IN THE NATIONAL AND FOREIGN LITERATURE (PUBLICATION IMAGE)

For the current competition ch. Assistant Professor Dr. A. Djordjanova presents a document on 11 citations found in refereed journals.

V. COMPREHENSIVE QUALITY ASSESSMENT OF TEACHING AND PROFESSIONAL ACTIVITY:

The candidate in the competition Ch. Assistant Professor Dr. A. Djordjanova , MD has shown excellent professional, scientific and teaching qualities.

VI. OVERALL ASSESSMENT OF THE APPLICATION OF THE APPLICANT TOWARDS THE MANDATORY CONDITIONS AND THE MANDATORY QUANTITATIVE CRITERIA AND SCIENTIFIC INDICATORS :

The candidate Ch. Assistant Professor Dr. Adelina Djordjanova , MD meets **all the general conditions** : completed higher medical education , acquired two specialties: psychiatry and forensic psychiatry, protected by ONS "Doctor" in the scientific specialty of psychiatry (forensic psychiatry) , as well **as the mandatory quantitative scientometric criteria** required for **holding the academic position of "Associate Professor"**, according to Art. ZRASRB, PPZRASRB, Regulations for holding academic positions at MU-Varna in Section IV "*Holding an academic position*" Associate Professor "*at MU-Varna*" and "*Appendix №1*" of the Regulations for the development of the academic staff of MU-Varna.

VII . CONCLUSION

My detailed acquaintance with the materials presented in the competition gives me **full reason to make the reasonable conclusion that the candidate Ch. Assistant Professor Dr. Adelina Djordjanova , Ph.D. fully meets** the mandatory general and specific conditions and scientometric criteria for holding the academic position of "Associate Professor" and **I confidently give strongly positive opinion to take the academic position of "ASSOCIATE ASSOCIATE" in the scientific specialty "Forensic Psychiatry" in The Medical University "Prof. Dr. Paraskev Stoyanov "- Varna.**

WITH RESPECT:



(Prof. Ivan Rushev, Doctor of Law, Corresponding Member of BAS)