

Costs of civil proceedings

Abstract

The diploma thesis addresses the issue of costs of civil proceedings. The aim of the thesis is to provide a basic introduction to the issue of the costs of the proceedings and subsequently, on the basis of the knowledge gained in this way, to examine aspects that the legislation on the costs of civil proceedings. The diploma thesis also contains a short comparison of selected differences between Czech and Slovak legislation on the costs of civil proceedings.

The first chapter defines the specific costs of civil proceedings. The chapter is divided into 7 sub-chapters, which deal in more detail with the individual costs of civil proceedings, as they are stated in the provision of Section 137 of the Czech Civil Procedure Code. The costs of civil proceedings are the costs incurred in the connection with legal proceedings as a result of the application of the subjective right of the party. An essential factor of the costs of civil proceedings is also a matter of effectiveness. The first chapter is focused mostly on the legislation of the court fees and the reward for legal representation.

Chapters 2 and 3 cover the issue of payment and reimbursement of costs of civil proceedings. In the chapter on payment of costs of civil proceedings, the author deals, among other things, with a plurality of participants or cases where the costs are paid by the state. In the chapter on reimbursement of civil proceedings costs, the principles of success in the matter and principle of fault were discussed. The author has also dealt with some of the selected problems that arise in the reimbursement of costs of civil proceedings. For example, the question of whether the mathematical procedure for determining the amount of the reimbursement of the costs, with the relative success of the participant, which is now used by all courts without exception, must be the only possible one.

In the 4th chapter on the decision on the reimbursement of cost civil proceedings, the details of such a decision were described.

The final chapter is focused on comparing selected differences between the Czech and Slovak legislation on costs of civil proceedings. The reason for a short comparison of the costs of civil proceedings was primarily the adoption of a legal regulation which is newly applied to civil proceedings in Slovakia.

Key words: Costs of civil proceedings, Reimbursement of the civil proceedings costs, Decision on the reimbursement of the civil proceedings costs