

# Summary

## Types of civil actions in the civil process

This graduation paper is divided into four chapters. The first chapter describes an action as such. It covers most aspects of an action such as the elements of an action, defects, consequences of filing an action and possible dispositions. An analysis of these aspects should enhance the reader's orientation in the legal terms and help to understand the context and relations between individual types of actions in the following chapters. More focus was put on the prayer for relief as a key element used to categorise individual types of action. The section "Prayer for relief and its types" provides several examples that could help clarify the issue of their categorisation to the non-professional public.

The second chapter describes the modern history of the types of actions and the development of procedural legislation. It also contains a reference to the new drafted rules of judicial procedure as a considered replacement of the current Rules of Civil Procedure.

The third chapter provides a categorisation of actions and their individual types. Major focus is devoted to the highly discussed declaratory action, plea of *res judicata*, and the binding nature of the court's justification. Each analysed type of action contains at least one practical and informal example which would demonstrate, in a comprehensible manner, the differences between individual types of actions with an emphasis to differentiate the action to determine a legal relation, the action replacing the manifestation of will and the constitutive action.

The last chapter compares the differences between the current Czech civil and procedural law and legislation related to the civil procedure in Slovakia.

### Keywords:

- Action
- Types of action

- Declaratory action