

Abstract

Devolution of the decedent's estate to an heir

The thesis deals with the current legal regulation of the devolution of the decedent's estate to an heir. It is divided into six parts, which are further divided into chapters and subchapters. In the first part, the thesis deals with the issue of the acquisition of inheritance, in particular the principle of universal succession, the prerequisites for the acquisition of inheritance and disputes over succession right. The second part deals with the reservation as to estate inventory, its purpose and scope, as well as its order and replacement and its payment. The third part deals with the administration of the decedent's estate, its purpose and scope. It also deals with the persons who administer the decedent's estate and their rights and obligations. The fourth part of this thesis is devoted to the closure of the decedent's estate, its purpose and the prerequisites for the closure of the decedent's estate. Furthermore, the thesis continues with an analysis of the legal regulation of the confirmation and division of the decedent's estate. In this part, the thesis examines the prerequisites for the confirmation of the acquisition of inheritance, but in particular to the different ways of division of the estate. The last (sixth) part dealing with debts affecting heirs shows by its scope that this is an important and significant topic. It analyses the devolution of debts to the heirs, the rights of creditors before the confirmation of the succession and the liability of the heir for the debts of the decedent. It also analyses the issue of debts in cases of community property, private enforcement and insolvency. The last chapters deal with the devolution of debts in relation to the separation of the decedent's estate and the convocation of creditors.

The thesis presents an analysis of the legal regulation of the devolution of the decedent's estate to an heir, deals with some specific issues of the discussed institutes and tries to present their critical evaluation and *de lege ferenda* considerations. It provides an opportunity to understand the issues discussed in the context of succession right, even for persons who have encountered succession right only marginally. Last but not least, it confirms the fact that the seemingly cumulative topic of the various institutes is more interrelated and coherent than it may seem at first sight.

Klíčová slova:

devolution of the decedent's estate to an heir, succession right, acquisition of inheritance, estate