

ABSTRAKT DISERTAČNÍ PRÁCE V ANGLICKÉM JAZYCE

Mediation in the Czech Republic

A doctoral thesis represents an evaluation of the fulfillment of the legislator's predicted objectives and expectations placed into the adopted legislation of mediation after ten years of its effectiveness in the legal system of the Czech Republic.

The text is divided into thirteen chapters, which gradually address the main topics related to the new civil law regulation of mediation. The first chapter briefly describes the development and existing mediation regulation in the Czech Republic. Next, there are identified the main points of research interest, which are elaborated in more detail in the following chapters. The attention is successively paid to the topics of (i) the duplex legal regulation of mediation, (ii) the performance of mediation outside the framework of the Mediation Act, (iii) the presumed benefits and guarantees associated with mediation under the Mediation Act, (iv) confidentiality of the subjects involved in mediation, (v) the remuneration and reimbursement of the mediator's expenses, (vi) prerequisites for the registered mediator profession, (vii) special legislation for mediator-attorneys, (ix) regulation of the first ordered meeting with a registered mediator, (x) the statute of limitations, (xi) direct enforceability of mediation agreements, and (xii) regulation of mediation in civil proceedings in the Czech Republic and abroad.

The specific chapters present the expectations of the legislator and subsequent opinions arising from ten years of expert discussion. The author's own conclusions formed using appropriate methodological procedures, especially analytical, normative and empirical approach follows. If possible, available statistical data and partly also foreign examples were used in the thesis.

The research chapters are concluded with a partial summary of the author's conclusions and proposed recommendations for improving the quality of legislation. The whole thesis then concludes with a comprehensive summary of all research outputs and a detailed description of proposed changes that would be *de lege ferenda* to adopt.

A simplified summary of the thesis could be that after ten years of the of the mediation regulation, many of the legislator's expectations were not fulfilled. Regardless, the mediation is a working alternative dispute resolution tool and after ten years of effectiveness it would deserve support and corresponding comprehensive amendment.