

Abstract: Legal proceedings to establish and deny parenthood

The thesis focuses on the issue of proceedings for the establishment and denial of parenthood in the Czech legal system. The aim of the thesis is to evaluate the existing legal regulation of proceedings for the establishment and denial of parenthood and to offer possible *de lege ferenda* proposals, especially regarding the best interests of the child, the requirement of legal certainty and stability in status relations. The thesis is divided into five thematic parts, with each part divided into several subchapters.

The first chapter defines the concept of parenthood and its meaning in Czech legislation. It then discusses the historical development of the legal regulation of the establishment and denial of parenthood in the Czech Republic and an overview of the key changes in the procedural regulation in family law.

In the second chapter, the thesis focuses on specific methods of determining parenthood according to the Civil Code, describing in detail the issues of maternity and paternity. Special attention is paid to the legal aspects of determining maternity in the context of assisted reproduction, surrogacy motherhood, clandestine and anonymous births. From the perspective of paternity determination, the three traditional presumptions of paternity determination are discussed in detail, as well as two new presumptions that have gradually emerged from the traditional system of three presumptions because of social developments in society and advances in medical science.

The third chapter focuses on the determination of paternity by affirmative declaration, or rather on the procedural procedure of the court in the case of the determination of paternity by affirmative declaration of the child of an unmarried mother or in the case of an affirmative declaration of the mother, the mother's husband and the presumed father, which denies the first presumption of paternity of the mother's husband and at the same time establishes the paternity of the presumed father.

Chapter four of the thesis examines in detail the procedural procedure in proceedings for the establishment and denial of paternity. An analysis is made of the indisputable nature of these proceedings, the applicable procedural principles, as well as the procedural conditions for the conduct of the proceedings, including the determination of the jurisdiction of the court, the initiation of the proceedings, and the range of participants. It also discusses the course of the proceedings, the most common means of proof used in these proceedings, the form of the decision and the available remedies.

In the last part, the thesis focuses on the proceedings for the determination and denial of maternity, first discussing the conflicts that may arise on maternity and then discussing the issue of the piecemeal procedural regulation of the proceedings for the determination and denial of maternity.

Key words

Parenthood, proceedings to establish and deny paternity, proceedings to establish and deny maternity