

NÁZEV DIPLOMOVÉ PRÁCE V ANGLICKÉM JAZYCE, ABSTRAKT V ANGLICKÉM JAZYCE A 3 KLÍČOVÁ SLOVA V ANGLICKÉM JAZYCE

Title: The judge's bias in terms of professional ethics

Abstract:

The thesis examines the concept of judicial bias as a fundamental element of a fair trial. The aim of the thesis was to analyze the legal and ethical framework of this institution in the Czech context, highlight its practical aspects, and contribute to a deeper understanding of how bias is addressed in judicial practice.

The first part focuses on the theoretical definition of judicial bias and its significance for ensuring a fair trial. At the same time, it emphasizes that the application of this concept must be approached with caution, as it may come into conflict with other constitutional principles, such as the right to a lawful judge or the rights of judges themselves. The following chapter explores professional ethics, particularly judicial ethics. It analyzes the importance of ethical codes as tools that reinforce the moral responsibility of judges in ethically challenging situations. The thesis examines existing ethical codes in the Czech Republic and their practical implications. It also addresses the relationship between ethical rules and disciplinary liability of judges.

Subsequently, the thesis analyzes the legal regulation of judicial disqualification due to bias under Czech law—both at the constitutional level and within procedural regulations, which set specific rules and procedures for different types of proceedings. This section also distinguishes between statutory grounds for exclusion (*iudex inhabilis*) and cases where bias is alleged by the parties (*iudex suspectus*). The thesis further explores various reasons why a judge may be perceived as biased, supported by selected case law examples, which demonstrate that each situation must be assessed individually. The final part of the thesis is based on empirical research conducted among judges from both large city and smaller towns. The results show that the frequency and nature of perceived bias vary depending on local conditions. The research also confirms that the bias argument is sometimes used strategically as part of procedural tactics.

Key words: judges, bias, professional ethics