

Costs of proceedings with respect to contested civil cases

Summary

This Master thesis deals with costs of proceedings with respect to contested civil cases. The legal proceedings area is always connected with some expenses. Those are of different nature depending on to whom they occur. They occur, on one hand, to the state in the connection with the securing of its basic functions, which, without any question, includes the running of justice. On the other hand, it occurs to the parties to these proceedings.

In the introduction of my thesis the notion of the costs of proceedings is defined, followed by specifications of different kinds of these costs, including its specifics and legal regulations. In the third chapter the duty to pay the expenses of proceedings is shaped. This duty comes into being in the moment of the origination of the costs of proceeding itself. Furthermore the compensation of costs is laid out. This part answers the question who, as the final result, carries the burden of these compensation payments. This text also examines the way the courts make the decisions about the costs of proceedings, including the possibilities and conditions of its adequate reduction. Naturally, the topic of the costs of proceedings about discretionary remedies is also outlined. In the last but one chapter are mostly discussed the adequacy of the determination of some type of costs of proceedings. In this chapter are moreover included the considerations about the current conditions of the legal regulations of the court tax and lawyer's wages. That was also the reason for choosing this particular topic as the subject of my thesis. The conclusion is an overall summary of the whole text.

The aim of this paper is to give the complex interpretation of the problem of the costs of proceedings with respect to contested civil cases. It also includes the caution about some problematic parts of the Czech legal regulations in this area.