

ABSTRACT

The goal of my Master's degree thesis is to describe the relation between an action and a judgment. My paper is divided into 9 chapters and several subchapters.

After a general introduction in chapter 1, I describe the civil procedure and its basic principles in chapter 2.

Chapter 3 is focused on describing an action and a judgment separately. It defines both of these acts, an action as an act of a plaintiff, a judgment as an act of a court. This basic definition is followed by an explanation of what form must these two acts have (written, oral, electronic...) according to the Czech Civil Procedure Code. In the next subchapter I describe the main requirements of these two acts (an action - court address, names of a plaintiff and a respondent, names of their representatives..., a judgment – a verdict, a justification and guidance on appeals).

Chapter 4 provides the relation between an action requirement and a judgment verdict. A plaintiff summarizes his/her requests in an action requirement. By that he/she is presenting the dispute to the court. The court deals with plaintiffs' requests in his verdict. We can say the verdict of the court is destined by the action requirement. In the last subchapter of chapter 4 I am presenting several examples of action requirements and judgment verdicts.

In Chapter 5 action requirements are divided into 4 different groups (single, eventual, alternative and alternative facultas). The subchapters describe the difference between them and the specifics of the judgments that follow these requirements.

Chapter 6 is dealing with different types of counterclaims and judgments about them.

Chapter 7, called *A judgment and an object of a civil procedure*, establishes that a court must refer to all of plaintiffs' requests and cannot forget to decide any part of the action requirement. However, there are 3 exceptions to this rule – partial judgment, interim judgment and an option to exceed the plaintiff's requirement in specific cases described in the Czech Civil Procedure Code.

Chapter 8 shows the difference between constitutive and declaratory acts. In two subchapters I compare constitutive action and judgment and declaratory action and judgment.

Last Chapter number 9 gives us the conclusion of the relation between an action and a judgment. There is a significant relation between these two acts. Without an action there cannot be a judgment. An action describes the dispute and a judgment decides it. An action and a judgment are two opposite sides of one civil procedure.