

Maintenance between parents and children

Resumé

My thesis deals with the mutual maintenance of parents and children in theory and in practice and the thesis consists of ten chapters. The topic of alimony is a very current topic. Our society is constantly changing and its relations in the families as well. The families which are functioning decrease so the needed family members have to seek for their rights. Each of us is a parent or a child, so this topic affects all of us.

The first chapter defines the basic concepts of my thesis, such as the concept of maintenance obligations, the differences between different types of maintenance obligations, the definition of subjects of maintenance obligations and the differences between the Czech and the International legal system. The final part of the first chapter discusses the new regulations of maintenance obligations, which will come into effect with new Civil Code.

The main chapters focus on alimony obligation of parents to children and on alimony obligation of children to parents. I discuss the basic concepts and I define them.

In those chapters the newly created tables from the Ministry of Justice for calculating the alimony with its application in the practice of Czech courts, where also the latest judiciary decisions are mentioned, also are taken into consideration.

The next chapter deals with the topic of „backup alimony“.

Equally important is the next chapter devoted to the proceeding of alimony. I describe the stage of proceeding which determines the alimony for children and I divide the proceedings depending on whether it is the alimony for a minor child or an adult child.

The last extensive chapter deals with the alimony from the side of criminal law. It contains the recent news concerning the new Criminal Code, which deals with the stricter penalties for the criminal offence „the breach of maintenance obligation“.

In my thesis I tried to capture the entire content of the issue of mutual maintenance between parents and children, by focusing on sources from recent case law and specialized articles.

I believe that it will be an interesting contribution for amateurs but also for professionals.

Key words – Klíčová slova:

Maintenance between parents and children – výživné mezi rodiči a dětmi

Family law – rodinné právo

Support obligations – vyživovací povinnost